

By Mr. VAN ZANDT:

H. R. 6685. A bill authorizing the President to present a Congressional Medal of Honor to Gen. Douglas MacArthur; to the Committee on Military Affairs.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2492. By Mr. MERRITT: Resolution of the Carbloc Paving Corporation of Brooklyn, N. Y., requesting that in the future all asphalt pavements the War Department may lay for roads in Army bases, runways on airports, supply roads, or whatever may be necessary in the line of highway building, be built by contractors' forces and not by Government forces; to the Committee on Military Affairs.

2493. By Mr. ROLPH: Resolution of the Allied Automotive Industries of California, Ltd., at San Francisco, relative to federalization of unemployment insurance program; to the Committee on Ways and Means.

2494. By Mr. WOLCOTT: Petitions and resolution adopted by the Common Council of Marine City, Mich., to amend section 451 of the Tariff Act of 1930, as set out in House bill 4768; to the Committee on Ways and Means.

2495. By the SPEAKER: Petition of the Congress of Industrial Organizations, Washington, D. C., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

## HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 27, 1942

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord, our heavenly Father, we pray Thee to enter into the holy land of our souls and allow nothing to tarnish them that we may love Thee and hate only evil. Cleanse us from all unrighteousness and renew a right spirit within us that we may be deeply conscious of the eternal truth that whatsoever a man soweth that shall he also reap. He who sows hate, resentment, or anger shall have forgiveness and love thrust out of his life. Many a green and fruitful isle shall blossom in our sea of sorrow when watered by the "well of life," springing out of the surge which beats against the soul.

We praise Thee, Almighty God, that somewhere in the pilgrimage of life there is a merciful fountain for smoothing the pathway and cleansing the dust from the wings of the soul. O do Thou continue to abide with us, ever affirming that Thou art with us and will hold human nature to its native simplicity and dignity. Oh, help us to catch the vision of transfigured sorrow and sanctified suffering, of conquered fears and immortal hopes; and Thine shall be the glory and praise forever. Through Christ, our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 691. An act for the relief of Richard Bove;

H. R. 794. An act for the relief of Catherine Ward;

H. R. 962. An act for the relief of Multnomah County, Oreg.;

H. R. 1060. An act to vest absolute in the city of Dearborn the title to lot 19 of the Detroit Arsenal grounds subdivision, Wayne County, Mich.;

H. R. 1647. An act for the relief of William H. Dugdale and wife;

H. R. 1755. An act for the relief of C. M. Sherrod and Daisy Mimms, administratrix of the estate of Arthur Mimms;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 2300. An act to correct the description of land added to the Bryce Canyon National Park pursuant to the act of February 17, 1931;

H. R. 2302. An act to adjust the boundaries of the Cedar Breaks National Monument and the Dixie National Forest, in the State of Utah, and for other purposes;

H. R. 2428. An act for the relief of G. F. Brown;

H. R. 2460. An act for the relief of Ruth Steward, administratrix of the estate of Luther F. Steward;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2908. An act for the relief of William H. Evans;

H. R. 2980. An act for the relief of National Heating Co., Washington, D. C.;

H. R. 3014. An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes;

H. R. 3032. An act for the relief of J. G. Fox;

H. R. 3200. An act conferring jurisdiction upon the United States District Court for the Eastern District of Arkansas to hear, determine, and render judgment upon the claims of W. M. Hurley and Joe Whitson;

H. R. 3433. An act for the relief of Bessie Pearlman and George Roth;

H. R. 3610. An act for the relief of Minnie C. Sanders;

H. R. 3697. An act for the relief of John E. Newman;

H. R. 3829. An act for the relief of Lonnie Bales;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4019. An act for the relief of John J. Jenkins;

H. R. 4336. An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes;

H. R. 4386. An act to provide for the addition of certain lands to the Isle Royale National Park, in the State of Michigan, and for other purposes;

H. R. 4414. An act for the relief of Andrew Wichmann;

H. R. 4626. An act for the relief of the legal guardian of Jane Hawk, a minor, and J. L. Hawk;

H. R. 4648. An act to amend the act of August 11, 1939 (53 Stat. 1418), entitled "An act authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the

United States," as amended by the act of October 14, 1940 (54 Stat. 1119);

H. R. 5026. An act for the relief of the Louis Puccinelli Bail Bond Co.;

H. R. 5413. An act to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska settlement project in Alaska, and for other purposes;

H. R. 5481. An act to transfer Blair County, Pa., from the western judicial district of Pennsylvania to the middle judicial district of Pennsylvania;

H. R. 5545. An act for the relief of H. Earle Russell;

H. R. 5573. An act for the relief of Mrs. Noel Wright and Bunny Wright;

H. R. 5605. An act for the relief of Lt. Col. J. B. Conmy;

H. R. 5646. An act for the relief of Joseph Simon, lieutenant commander (SC), United States Navy, and R. D. Lewis;

H. R. 5865. An act for the relief of Builders Specialists Co.;

H. R. 6003. An act to amend an act entitled "An act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes," approved June 20, 1938;

H. R. 6072. An act authorizing the States of Arizona and California, jointly or separately, to construct, maintain, and operate a free highway bridge across the Colorado River at or near Needles, Calif.;

H. R. 6107. An act to authorize the Commissioners of the District of Columbia to permit the vestry of Rock Creek Parish to utilize for burial sites certain land within its present holdings in Rock Creek Cemetery;

H. R. 6270. An act to amend subsections (b), (d), and (e) of section 77 of the Judicial Code so as to transfer the county of Meriwether from the Columbus division of the middle district of Georgia to the Newnan division of the northern district of Georgia, and to change the terms of the district court for the Macon and Americus divisions in the middle district of Georgia;

H. R. 6332. An act to revise the boundaries of the Chickamauga-Chattanooga National Military Park in the States of Georgia and Tennessee;

H. R. 6536. An act to change the name of Conduit Road in the District of Columbia;

H. J. Res. 231. Joint resolution to approve and authorize the continuance of certain payments for the hospitalization and care of Leo Mulvey, and for other purposes; and

H. J. Res. 260. Joint resolution to authorize the United States Maritime Commission to acquire certain lands in Nassau County, N. Y.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 3761. An act for the relief of Mrs. Willie M. Maye;

H. R. 3966. An act for the relief of Estella King;

H. R. 4355. An act for the relief of Bella Cosgrove;

H. R. 4401. An act to provide for the establishment of a commissary or canteen at Glenn Dale Sanatorium, Glenn Dale, Md.;

H. R. 4557. An act for the relief of the estate of Mrs. Edna B. Crook;

H. R. 4665. An act for the relief of Harry Kahn;

H. R. 5290. An act for the relief of Mrs. Eddie A. Schneider;

H. R. 5458. An act to amend the Organic Act of Alaska;

H. R. 5473. An act for the relief of Allene Ruhlman and John P. Ruhlman;

H. R. 6291. An act to amend the Merchant Marine Act, 1936, as amended, to provide for the coordination of the forwarding and similar servicing of water-borne export and import foreign commerce of the United States;

H. R. 6375. An act to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia;

H. R. 6550. An act to extend and amend subtitle—Insurance of Title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes; and

H. J. Res. 248. Joint resolution to direct the Commissioners of the District of Columbia and the Public Utilities Commission to make an investigation and survey to determine the feasibility of the construction of subways in the District of Columbia for both streetcars and vehicular traffic.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1766. An act for the relief of John Snure, Jr.;

S. 1776. An act for the relief of Mrs. Agnes S. Hathaway;

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.;

S. 2122. An act to amend the District of Columbia Traffic Act of 1925;

S. 2133. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940;

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto across the St. Marys River from a point in or near the city of Sault Ste. Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940;

S. 2154. An act to amend the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929;

S. 2175. An act for the relief of Bibiano L. Meer;

S. 2187. An act for the relief of Tom G. Irving; Thomas G. Irving, Sr.; J. E. Irving; Mata D. Irving; L. T. Dale; and Amelia Dale;

S. 2220. An act for the relief of Frank Sheppard;

S. 2229. An act to provide for the retirement, rank, and pay of heads of staff departments of the Marine Corps;

S. 2268. An act to further amend section 126 of the act of June 3, 1916, as amended, to authorize travel pay for certain military and naval personnel on discharge or release or relief from active duty; and

S. J. Res. 130. Joint resolution to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 5945) entitled "An act granting the consent of Congress to a compact entered into by the States of Colorado, Kansas, and Nebraska with respect to the use of the waters of the Republican River Basin," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr.

BANKHEAD, Mr. McCARRAN, Mr. OVERTON, Mr. McNARY, and Mr. JOHNSON of California to be the conferees on the part of the Senate.

#### EXTENSION OF REMARKS

Mr. MACIEJEWSKI. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein a resolution passed at a mass meeting held in my district in Chicago, Ill.; and also that I may be allowed to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### TO PRINT THE PROCEEDINGS COMMEMORATING THE SERVICES OF WILLIAM TYLER PAGE

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 1833) back favorably without amendment a privileged resolution (H. Res. 448) authorizing the printing of the proceedings in the House of Representatives on December 19, 1941, commemorating the service of William Tyler Page, as a House document, and I ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

*Resolved*, That the proceedings held in the House of Representatives on December 19, 1941, in commemoration of the sixtieth anniversary of the service of William Tyler Page in various capacities in the House of Representatives, together with the proceedings attendant upon the ceremony in the studio of the broadcasting station of WWDC, in Washington, D. C., on the evening of October 19, 1941, commemorating his birthday anniversary, be printed, with illustrations, as a House document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein an address delivered over the Columbia Broadcasting System on the Church of the Air program.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and to include therein a letter from Ernest H. Cherrington, executive secretary of the Board of Temperance of the Methodist Church.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and include a table to be printed in tabular form.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RODGERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include a resolution adopted by the State Senate of Pennsylvania.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the Record and to include a letter from the Oakland County (Mich.) Farm Bureau.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and to include therein a resolution adopted by the Puerto Rico Teachers' Association in its annual convention held at Mayaguez, P. R., on January 31.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### PAY AND ALLOWANCES OF PERSONNEL OF ARMED FORCES DURING ABSENCES FROM POSTS OF DUTY AND REPEAL OF RETIREMENT FOR ELECTED OFFICIALS

Mr. VINSON of Georgia. Mr. Speaker, I call up the conference report on the bill (H. R. 6446) to provide for continuing of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments during periods of absence from post of duty, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, is this the conference report on the bill that has to do with congressional pensions?

Mr. VINSON of Georgia. Yes; it is.

The SPEAKER. Is there objection to the request of the gentleman from Georgia that the statement be read in lieu of the report?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That for the purpose of this Act—

"(a) the term 'person' means (1) commissioned officer, warrant officer, enlisted person (including persons selected under the Selective Training and Service Act, as amended), member of the Army or Navy Nurse Corps (female), wherever serving; (2) commissioned officer of the Coast and Geodetic Survey or the Public Health Service; and (3) civilian officers and employees of departments, during such time as they may be assigned for duty



outside the continental limits of the United States or in Alaska;

"(b) the term 'active service' means active service in the Army, Navy, Marine Corps, and Coast Guard of the United States, including active Federal service performed by personnel of the retired and reserve components of these forces, the Coast and Geodetic Survey, the Public Health Service, and active Federal service performed by the civilian officers and employees defined in paragraph (a) (3) above;

"(c) the term 'dependent' shall be as defined in United States Code, title 37, sections 8 and 8 (a) or such dependent as has been designated in official records;

"(d) the term 'department', including such term when used in the amendment made by section 16, means any executive department, independent establishment, or agency (including corporations) in the executive branch of the Federal Government.

"Sec. 2. Any person who is in active service and is officially reported as missing, missing in action, interned in a neutral country, or captured by an enemy shall, while so absent, be entitled to receive or to have credited to his account the same pay and allowances to which such person was entitled at the time of the beginning of the absence or may become entitled to thereafter: *Provided*, That such person shall not have been officially reported as having been absent from his post of duty without authority: *Provided further*, That expiration of the agreed term of service during the period of such absence shall not operate to terminate the right to receive such pay and allowances: *And provided further*, That should proper authority subsequently determine that the person concerned had been absent from his post of duty without authority, such person shall be indebted to the Government in the amount for which payments have been made or pay and allowances credited to his account in accordance with the provisions of this Act during such absence.

"Sec. 3. Any person entitled under section 2 of this Act to receive pay and allowances, and who has made an allotment of pay for the support of dependents or for the payment of insurance premiums, shall be entitled to have such allotments for dependents or insurance premiums as he previously may have executed continued for a period of 12 months from date of commencement of absence, notwithstanding that the period for which the allotments had been executed may have expired during such 12 months' period, and the proper disbursing officer shall so continue the allotments during such absence: *Provided*, That in the absence of a previously executed allotment, or where the allotment made is not sufficient for reasonable support of a dependent and for the payment of insurance premiums, the head of the department concerned may direct that an allotment not to exceed the base pay, plus longevity of the person concerned, shall be paid by the appropriate disbursing officer to the insurer or such dependent as has been designated in official records or, in the absence of such designation, to such person as may be determined by the head of the department concerned, or by such person as he may designate, to be a bona fide dependent within the meaning of section 1 (c): *Provided further*, That for the initial period of six months, unless prior decision as to status is made, a monthly allotment for support of such dependent shall be paid in an amount not to exceed the monthly base pay, plus longevity, without regard to the fact that the six months' death gratuity may be paid later: *Provided further*, That at the expiration of the initial six months' period, no further decision having been made as to status, the payment as heretofore provided shall continue for an additional period not to exceed six months; any payment paid to a dependent for a period subsequent to date

of death, if death occurred subsequent to the expiration of the first six months' period, shall be deducted from the six months' gratuity: *Provided further*, That the premiums on insurance issued on the life of the person paid by the Government subsequent to the declared date of death and unearned shall revert to the appropriations of the department concerned: *And provided further*, That the total of all payments made under this section, including those for insurance premiums, shall not exceed the total pay and longevity pay due.

"Sec. 4. When in the opinion of the head of the department concerned the circumstances surrounding the absence of a missing person of one of the classes mentioned in section 2 of this Act justifies such action, in the interest of the Government, or of the missing person, or of a dependent of the missing person, the head of the department, or such person, as he may designate, may direct the continuance, suspension, or resumption of payments of the pay and allowances of such person. Except as provided in section 6 of this Act, in the case of a person in the hands of an enemy or interned in a neutral country, payment of allotments may not continue beyond the twelve months' period following the officially reported date of commencement of absence from his post of duty.

"Sec. 5. Upon the expiration of twelve months from the date the person is reported as missing, or missing in action, in the absence of an official report of death of the missing person, the head of the department concerned is authorized to make a finding of death of such person. Following a finding of death, the six months' death gratuity provided by law is authorized to be paid. In the event of the later return of such missing person to the controllable jurisdiction of the head of the department concerned, the pay account of such person shall be reopened and charged with the amount of the six months' death gratuity which may have been paid: *Provided*, That the head of the department concerned in his discretion shall determine a monthly basis for liquidation of the amount of the death gratuity so charged in a reopened pay account.

"Sec. 6. When it is officially reported by the head of the department concerned that a person missing under the conditions specified in section 2 of this Act is alive and in the hands of an enemy or is interned in a neutral country, the payments authorized by section 3 of this Act are, subject to the provisions of section 2 of this Act, authorized to be made for a period not to extend beyond the date of the receipt by the head of the department concerned of evidence that the missing person is dead or has returned to the controllable jurisdiction of the department concerned.

"Sec. 7. The head of the department concerned is hereby authorized to direct the payment of new allotments from the pay of persons in active service (other than persons entitled under section 2 or section 14 of this Act to receive pay and allowances) to increase or decrease the amount of any allotment heretofore or hereafter made by such persons and to continue payment of any allotments of such person which may have expired in November 1941 and any month subsequent thereto, with or without the consent of such person, subject in all cases to termination by specific request of such persons, whenever in the judgment of the head of the department such action is considered essential for the well-being and protection of dependents of persons in active service.

"Sec. 8. Whoever shall obtain or receive any money, check, or allotment under this Act, without being entitled thereto, with intent to defraud shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than 1 year, or both.

"Sec. 9. Within the scope of the authority granted by this Act, the determination by the

head of the department concerned, or by such person as he may designate, of the status of a person in the military or naval forces, the Coast Guard, the Coast and Geodetic Survey, the Public Health Service, or civilian officers or employees as defined in paragraph (a) (3) of section 1 of this Act, or his direction relative to continuance, temporary suspension, or resumption of payment of pay and allowances, or finding of death, shall be conclusive.

"Sec. 10. The determination of the fact of dependency under the provisions of this Act, and the determination of the fact of dependency under the provisions of any and all other laws providing for the payment of pay, allowances, or other emoluments to enlisted men of the Army, Navy, Marine Corps, and Coast Guard of the United States where such payments are contingent upon dependency, shall be made by the head of the department concerned, or by such subordinate as he may designate, and such determination so made shall be final and conclusive: *Provided*, That the Act of June 4, 1920 (41 Stat. 824), as amended (U. S. C., title 34, sec. 943), is hereby amended by deleting the word 'actually' in the first proviso.

"Sec. 11. The head of the department concerned, or such person as he may designate, is authorized to settle the accounts of persons for whose account payments have been made pursuant to the provisions of sections 2 to 7, both inclusive, of this Act, and the accounts of survivors of casualties to ships, stations and military installations which result in loss or destruction of disbursing records, and such settlements shall be conclusive upon the accounting officers of the Government in effecting settlements of the accounts of disbursing officers.

"Sec. 12. The dependents and household and personal effects of any person on active duty (without regard to pay grade) who is officially reported as injured, dead, missing as the result of military or naval operations, interned in a neutral country, or captured by the enemy, may be moved (including packing and unpacking of household effects) to the official residence of record for any such person, or, upon application by such dependents, to such other locations as may be determined by the head of the department concerned or by such person as he may designate, by the use of either commercial or Government transportation: *Provided*, That the cost of such transportation, including packing and unpacking, shall be charged against appropriations currently available.

"Sec. 13. Notwithstanding any other provision of law, in the case of any taxable year beginning after December 31, 1940, no Federal income-tax return of, or payment of any Federal income tax by—

"(a) any individual in the military or naval forces of the United States, or

"(b) any civilian officer or employee of any department

who, at the time any such return or payment would otherwise become due, is a prisoner of war or is otherwise detained by any foreign government with which the United States is at war, or

"(c) any individual in the military or naval forces of the United States serving on sea duty or outside the continental United States at the time any such return or payment would otherwise become due, shall become due until one of the following dates, whichever is the earliest:

"(1) the fifteenth day of the third month following the month in which he ceases (except by reason of death or incompetency) to be a prisoner of war, or to be detained by any foreign government with which the United States is at war, or to be a member of the military or naval forces of the United States serving on sea duty or outside the continental United States, as the case may be, unless prior to the expiration of such fifteenth day he again is a prisoner of war, or is detained by any foreign government with which the

United States is at war, or is a member of the military or naval forces of the United States serving on sea duty or outside the continental United States;

"(2) the fifteenth day of the third month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President; or

"(3) the fifteenth day of the third month following the month in which an executor, administrator, or conservator of the estate of the taxpayer is appointed.

Such due date is prescribed subject to the power of the Commissioner of Internal Revenue to extend the time for filing such return or paying such tax, as in other cases, and to assess and collect the tax as provided in sections 146, 273, and 274 of the Internal Revenue Code in cases in which such assessment or collection is jeopardized and in cases of bankruptcy or receivership. For the purpose of this section, the term "continental United States" means the States and the District of Columbia, and the terms "individual" or "member" of the military or naval forces of the United States means any person in the Army of the United States, the United States Navy, the Marine Corps, the Army or Navy Nurse Corps (female), the Coast Guard, the Coast and Geodetic Survey, or the Public Health Service.

"Sec. 14. The provisions of this Act, applicable to persons in the hands of an enemy, shall also apply to any person beleaguered or besieged by enemy forces.

"Sec. 15. This Act, except sections 13, 16, 17, and 18, shall be effective from September 8, 1939, and shall remain in effect until the termination of the present war with Germany, Italy, and Japan, as proclaimed by the President, and for twelve months thereafter.

"Sec. 16. (a) The last sentence of subsection (c) of the first section of the Civil Service Retirement Act, approved May 29, 1930, as amended, is amended by striking out "any elective officer."

(b) Subsection (a) of section 2 of such Act of May 29, 1930, as amended, is amended by striking out "": *Provided, however*, That no provision of this or any other Act relating to automatic separation from the service shall have any application whatever to any elective officer."

"(c) Subsection (a) of section 3 of such Act of May 29, 1930, as amended, is amended to read as follows:

"(a) This Act shall apply to all officers and employees in or under the executive, judicial, and legislative branches of the United States Government, and to all officers and employees of the municipal government of the District of Columbia, except elective officers and heads of executive departments: *Provided*, That this Act shall not apply to any such officer or employee of the United States or of the municipal government of the District of Columbia subject to another retirement system for such officers and employees of such governments: *Provided further*, That this Act shall not apply to any officer or employee in the legislative branch of the Government within the classes of officers and employees which were made eligible for the benefits of this Act by the Act of July 13, 1937, until he gives notice in writing to the disbursing officer by whom his salary is paid, of his desire to come within the purview of this Act; and any officer or employee within such classes may, within sixty days after January 24, 1942, withdraw from the purview of this Act by giving similar notice of such desire. In the case of any officer or employee in the service of the legislative branch of the Government on January 24, 1942, such notice of desire to come within the purview of this Act must be given within the calendar year 1942. In the case of any officer or employee of the legislative branch of the Government who enters the service after January 24, 1942, such notice of desire to come within the purview of this Act must

be given within six months after the date of entrance to the service."

"(d) The amounts deducted and withheld from the basic salary, pay, or compensation of any officer made ineligible for the benefits of such Act of May 29, 1930, as amended, by the amendments made by this section to such Act of May 29, 1930, and deposited to the credit of the civil-service retirement and disability fund, and any additional amounts paid into such fund by such officer, shall be returned to such officer within thirty days after the date of enactment of this Act.

"Sec. 17. The existing project for the Great Lakes and connecting channels is modified to provide for a new lock about eight hundred feet long, eighty feet wide, and thirty feet deep, at Saint Marys Falls Canal, Michigan, together with suitable approaches thereto, said lock to replace the present Weitzel lock and approaches, all in accordance with the recommendations contained in House Document Numbered 218, Seventy-seventh Congress, first session.

"This improvement is hereby adopted and authorized and shall be prosecuted in the interest of national defense under the direction of the Secretary of War and supervision of the Chief of Engineers, subject to the conditions set forth in said document.

"Sec. 18. Hereafter the base pay of any enlisted man, warrant officer, or nurse (female) in the military or naval forces of the United States shall be increased by 20 per centum and the base pay of any commissioned officer in such forces shall be increased by 10 per centum for any period of service while on sea duty, or duty in any place beyond the continental limits of the United States or in Alaska, which increases in pay shall be in addition to pay and allowances as now authorized: *Provided*, That the per centum increases herein authorized shall be included in computing increases in pay for aviation and submarine duty: *Provided further*, That this section shall be effective from December 7, 1941, and shall cease to be in effect twelve months after the termination of the present war is proclaimed by the President."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

CARL VINSON,  
P. H. DREWRY,  
MELVIN J. MAAS,

*Managers on the part of the House.*

DAVID I. WALSH,  
M. E. TYDINGS,  
JAMES J. DAVIS,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6446) to provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof, and civilian employees of the War and Navy Departments, during periods of absence from post of duty, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment differed substantially from the House bill in the following particulars:

(1) It extended the bill to include officers of the Coast and Geodetic Survey and the Public Health Service, and civilian personnel of the various Government departments serving outside the continental limits of the United States, who have been reported as missing, missing in action, interned in a neutral country, or captured by an enemy, and who are not presumed to be dead or deserted,

(2) It provided that the pay of the persons covered by the bill may be allotted to pay the premiums on all types of life insurance policies instead of upon Government policies only.

(3) It extended the provisions of the bill regarding deferment for a limited period of time of the payment of Federal income tax to include the civilian personnel covered by the bill.

(4) It provided that dependents and household and personal effects of persons covered by the bill who are officially reported as killed or missing in action as a result of military or naval operation may be moved at Government expense to such locations as the head of the Department concerned may consider necessary.

(5) It struck out of the House bill the section which provided that the head of the department concerned was authorized to settle the accounts of persons covered by the bill and that such settlement should be conclusive upon the accounting officers of the Government in effecting settlements of the accounts of disbursing officers.

(6) It provided for a modification of the existing project for the Great Lakes so as to provide for a new lock at St. Marys Falls Canal, Mich.

(7) It provided for a 20 per centum increase in the base pay, in the case of enlisted men, warrant officers, and nurses (female), and 10 per centum in the base pay in the case of commissioned officers, for any period of service while on sea duty or on duty in any place beyond the continental limits of the United States, or in Alaska.

(8) It repealed so much of section 3 of the Civil Service Retirement Act of 1930 as made elective officers and heads of departments eligible to the annuities provided in that act.

The conference agreement contains the provisions of the Senate amendment described above in paragraphs (1), (2), (3), and (4). The conference agreement also contains the provisions described above in paragraph (5), which was stricken from the House bill by the Senate amendment. The provision of the Senate amendment providing for an increase in base pay for sea duty and for service outside the United States is also contained in the conference agreement in an administratively workable form, but its application is limited to the period beginning December 7, 1941, and terminating twelve months after the war. The conference agreement also contains the provisions of the Senate amendment providing for a new lock at St. Marys Falls Canal, Mich.

The provisions of the conference agreement with respect to the Civil Service Retirement Act are, except in one respect, the same as the Senate amendment, in that they exclude from the coverage of the Retirement Act the President, the Vice President, Members of the Senate and House, and heads of departments.

"Department" is defined in the first section of the conference agreement to include the executive departments, independent establishments, and agencies (including Government corporations) in the Executive branch of the Government, and it is the heads of departments, as so defined, which are thus excluded.

The provisions of the Senate amendment prohibiting the payment of retirement benefits to any person for any period during which such person is receiving any benefits under a retirement system of any State, is omitted from the conference agreement.

CARL VINSON,  
P. H. DREWRY,  
MELVIN J. MAAS,

*Managers on the part of the House.*

Mr. VINSON of Georgia. Mr. Speaker, so that the Members may thoroughly understand what is going on and everybody be fully apprised of the situation, I ask your indulgence while I explain the



action of your conferees in regard to H. R. 6446. You will recall that when this bill was presented to the House it was a Navy bill dealing with taking care of the families of sailors and soldiers who have been captured or interned, or who are missing. When the bill reached the Senate three separate amendments were added. One of them is known as the Byrd amendment, the second is known as the Brown amendment, and the third is known as the Clark amendment.

I think it important to call the attention of the House to the difference between the House bill and the Senate bill with reference to the naval phase of it over which we had original jurisdiction. Bear in mind that all of these other things were dumped on this naval bill because it was floating around over in the Senate. The change between the House bill and the bill as sent back by the Senate with reference to naval matters are in five different respects. These are the changes: It extends the bill to include officers of the Coast and Geodetic Survey, the Public Health Service, and the civilian personnel in various Government departments serving outside the continental limits of the United States.

When we had the bill before us we only dealt with the Army and Navy. The Senate, however, has included in this the Coast and Geodetic Survey, the Public Health Service, and civilian personnel of the various departments, such as the Treasury Department. There were some 13 or 14 employees of the Treasury Department who were captured and are now interned when Cavite and Manila were seized. That is how far and to whom it applies.

It also provides that the pay of missing persons may be allotted to pay the premiums on all types of life insurance, instead of just Government policies. When the bill was considered by the House we confined it entirely to taking a part of the enlisted man's money and paying his Government insurance. The Senate has amended it to include the payment of any private contract insurance that he may have had.

It extends a provision of the bill with regard to deferment for a limited period of time to the payment of Federal income taxes to include civilian employees and officers of the Government. We merely confined it to the Army and Navy with reference to income tax returns, but this extends it to civilians who may be outside the continental limits of the United States.

We made no recommendation with regard to household effects. The Senate put a new provision in it providing that the household effects of dependents killed or missing in action as the result of military or naval operations may be moved at Government expense. That was a new thought that was put in the bill by the Senate. In other words, if the main support of a family, a husband, for instance, has been killed and the wife desires to move her personal effects to some other place, then the Government pays for the removal of the personal effects.

The Senate struck out a section known as section 12 of the bill, but in conference

the section was reinserted. The section struck out dealt with giving the Navy and the War Department exclusive jurisdiction of determining a new roll that may be made up after a ship has been sunk and the roll is lost or after a company roll has been destroyed. Under our view, and according to the view of the military authorities, the establishment of that roll should be conclusive. The Senate did not agree with us in the first instance, but I am happy to say that in the conference the Senate recedes and adopted the viewpoint that whatever roll the Army or Navy established, it is final and conclusive on the Accounting Office of the Government.

That covers everything with reference to the Navy end of the bill. I may say that in debate in the Senate a question was asked if this bill applied to the 1,000 workers captured at Wake. It does not apply to any of those men who were captured at Wake, because a bill that we passed on February 6 takes care of those people's dependents. The Navy Department has already set aside \$5,000,000 to meet the emergency of those people. In my opinion, it has become necessary to have further legislation to do justice to these civilian employees of the contractor by the Naval Affairs Committees of the House and Senate, and those two committees will give the matter consideration.

Mr. ANDREWS. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. ANDREWS. As I recall it, a soldier or sailor, insofar as a mortgage is concerned, is covered by the Soldiers and Sailors' Relief Act. What about a civilian, is he covered on a mortgage?

Mr. VINSON of Georgia. If he had given a mortgage to some private concern, we do not deal with that. He is protected under the Draft Act.

Mr. HINSHAW. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from California.

Mr. HINSHAW. Would the gentleman state how he personally feels with reference to what should be done in the future for these civilians who were on Wake or Guam Islands?

Mr. VINSON of Georgia. Well, it is a very doubtful question as to what is the proper thing to do. We have adopted the policy here of paying a civilian employee who is captured his pay right straight along just like we do with an Army or Navy man who is captured. His pay runs along. I do not know whether or not we should adopt the policy that a man who is employed by a contractor, and who may be captured, and making three or four hundred dollars a month, and who may be interned for a period of 12 months or longer, should be paid his salary or wages by the Government during the time he is in captivity. We have already said that we will take care of his dependents. That is as far as we can go on that question just at this time, because it is a new one that we have to reach a decision on only after careful consideration.

Mr. HINSHAW. As I understand it, the Navy Department is now authorizing

the payment of a hundred dollars a month to those dependents?

Mr. VINSON of Georgia. That is correct. The dependents of every civilian who was captured at Wake is paid \$100 a month, and the Navy Department has set aside \$5,000,000 for the purpose of supporting their dependents. I do not know whether the Congress should go one step further and say to that civilian, "We are going to pay your full salary while you are interned or while you are in captivity."

Mr. HINSHAW. I have a bill pending before the gentleman's committee providing for payment of two-thirds of that salary.

Mr. LUTHER A. JOHNSON. What benefits are conferred under the bill to those serving beyond the continental limits of the United States?

Mr. HARE. Does the gentleman mean to convey the idea that, if a civilian employee is captured, every member of his family will get a hundred dollars a month?

Mr. VINSON of Georgia. No; not at all. If a civilian employee of the Government is captured—and 13 of them were captured—under this bill his salary goes right along, just as if he were doing the work for the Government. However, there is nothing in this bill to pay the contractor's employees, because that was dealt with in a bill passed on February 6. Under that arrangement we are giving to the family of each such employee \$100 to support that family while the head of the family is interned, probably, in Shanghai or somewhere else.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. What will be done for the families of the soldiers?

Mr. VINSON of Georgia. I may say to the gentleman that that is the very purpose of this bill.

Mrs. ROGERS of Massachusetts. That is what I understood.

Mr. VINSON of Georgia. If he has not made any allotment, then the Government can step in and, based upon the pay he was drawing, can give it all to support his family. That is the purpose of the bill.

Mrs. ROGERS of Massachusetts. Will it give any more than that?

Mr. VINSON of Georgia. Not any more than what he was earning.

Mr. Speaker, I think this covers everything with reference to the Navy.

Another provision placed in this bill was to give to the officers and enlisted men of the armed forces a 10-percent and a 20-percent increase in pay for serving outside the continental limits of the United States. The Senate agreed to the House interpretation of that section. When the bill passed the House no such provision was in the bill. Senator CLARK of Missouri offered an amendment having the same effect as a law in effect during the World War under which soldiers and sailors serving outside the continental limits of the United States got an increase amounting to 20 percent of their base pay in the case of

enlisted men and 10 percent in the case of officers. We rewrote the amendment in conference to make it administratively workable. That is all in regard to that.

Senator BROWN offered an amendment with reference to the Soos locks, a very important amendment, and I am glad to state to the House that we accepted that amendment.

This brings us down to the much-discussed civil-service amendment, known as the Byrd amendment, and I want the House to listen to what I have to say with reference to that.

With reference to the Civil Service Retirement Act, the conference agreement follows the provisions of the Senate amendment, except in two respects:

First. That provision of the Senate amendment which prohibited an employee from receiving on retirement any benefits from the civil-service retirement fund during any period during which he is receiving retirement benefits from any State or political subdivision thereof is omitted from the conference agreement. There are many employees who were State employees prior to their Federal service, and these employees have made payments both into the State fund and the Federal fund. It seemed to the conferees unfair to deprive these employees of the Federal benefits for which they have paid a portion of their salary each month simply because they have also paid for the benefits they are receiving from a State fund.

There are probably only four States in the Union that have a retirement law, the State of New York, the State of North Carolina, and probably one or two other States which I do not now recall. The conferees struck out that provision and said that if these employees who worked for the States before they came into the Government service were making payments and thus were included under the prior retirement acts, they can continue to make their payments as they have done in the past.

Second. The conference agreement clarifies the meaning of the term "heads of departments" as that term is used to describe a class of officers who are not to be entitled to the benefits of the Retirement Act. The first section of the bill defines the term "department" when used in the bill, including such term when used in the amendment made to the Civil Service Retirement Act, to mean any executive department, independent establishment, or agency—including Government corporations—of the Federal Government. Thus, under the Senate amendment, not only are the President and his Cabinet, the Vice President, and Members of the Senate and House excluded from the coverage of the Retirement Act but also the heads of agencies like the Federal Security Agency, the Federal Works Agency, the Federal Loan Agency, and like agencies. The same is true of members of commissions and boards, such as the Securities and Exchange Commission, the Employees Compensation Commission, the Communications Commission, the Board of Tax Appeals, the National Labor Re-

lations Board, the Home Loan Bank Board, the Federal Power Commission, the Interstate Commerce Commission, the Maritime Commission, the Board of Directors of the Tennessee Valley Authority, the Board of Directors of the Reconstruction Finance Corporation, and other Government corporations. The term "heads of departments" also includes heads of the defense agencies like the O. C. D., the War Production Board, the Board of Economic Warfare, the Office for Emergency Management, the Office of Price Administration, and the like.

All of that group falls under our classification "heads of departments," and therefore they are excluded from the benefits of the Retirement Act.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Michigan.

Mr. DONDERO. Does it include officials of the various States nominated or appointed under the W. P. A. agency of the Government?

Mr. VINSON of Georgia. If he comes within the group that is classified as heads of departments, he is excluded.

This is what your conferees tried to do, and I think we were backed by the sentiment of the House.

It was the intention of the conferees on the part of the House to bring back to the House a conference report under which the coverage of the Civil Service Retirement Act would be restored to exactly what it was prior to the enactment of the act of January 24 and we had prepared an amendment to that effect which was tentatively agreed to by the conferees on the part of the Senate. After showing this amendment to the Parliamentarian of the House, however, I was advised that it was beyond the powers of the conferees and that they were limited to dealing with the changes that the Senate amendment had made in existing law.

I was hopeful that we might bring back the coverage as it was before January 24, but we could not do that under the parliamentary situation, for it would have been subject to a point of order.

Mr. Speaker, that covers all the explanation I have to submit. If there are any questions, I yield now.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. COLE of New York. Referring to commissions, such as the Securities and Exchange Commission and the Board of Tax Appeals, does the provision referred to cover just the head of that Commission or all the members of the Commission?

Mr. VINSON of Georgia. While you have a Chairman of the Commission or Board, yet the whole Board constitutes the head, and there is no doubt that I am correct on this because we went into that very question.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. Does the gentleman have any estimate of the amount of the pay roll that will be involved in this group which the gentleman defines as executive heads, and so forth?

Mr. VINSON of Georgia. I have seen the statement, and I read the hearings before the Civil Service Commission, and it said to administer the law would have cost about \$19,000,000. The gentleman from Ohio has figures going to show it will cost about \$68,000,000. I do not know what it is going to cost; I was trying to get at the new coverage and eliminate them, but I could not do so under the parliamentary situation.

Mr. SMITH of Ohio. Maybe the gentleman does not quite understand my question.

Mr. VINSON of Georgia. Yes; I understand the gentleman's question.

Mr. SMITH of Ohio. I merely wish to know what the pay roll will likely be of the group that will be excluded under your definition of executive heads.

Mr. VINSON of Georgia. No; of course, I have not figured that out.

Mr. SMITH of Ohio. Does the gentleman have any idea of the approximate amount?

Mr. VINSON of Georgia. I have not.

Mr. SMITH of Ohio. It would not be very much compared with the total cost involved in blanketing in under the Ramspeck Act the 250,000 appointive officers, would it?

Mr. VINSON of Georgia. Anyhow, it reaches that group of officials whose salaries are over or around \$9,000.

Mr. SMITH of Ohio. Let me ask the gentleman one more question. This conference report, as I understand, excludes the possibility of eliminating the immense group that was blanketed in under the Ramspeck Act.

Mr. VINSON of Georgia. We could not do that. That is what the conferees wanted to do, but the conferees could not do that under the parliamentary situation. Therefore, we merely broadened what was meant by heads of executive departments, and I have read you a partial list of those heads that cannot participate in this retirement.

However, if the conferees could have eliminated all of the 285,000 people covered by the act of January 24, 1942, most of them would have come under the retirement law within the next 18 months, because they will be classified as civil-service employees under the civil-service extension law passed in 1940.

Mr. SMITH of Ohio. Accordingly it appears, then, that the conferees were willing to repeal the provision that blankets in those 250,000.

Mr. VINSON of Georgia. That is right.

Mr. SMITH of Ohio. Then the gentleman would join in repealing pensions for this group of 250,000?

Mr. VINSON of Georgia. I may say that, so far as I am individually concerned, I would not extend the coverage to anybody beyond January 24.

Mr. SMITH of Ohio. That is, after the time the bill passed.

Mr. VINSON of Georgia. And I mean I would stop there and would not have



enacted the new bill. May I say in this connection that I am trying to explain this report so that no Member will be able to jump up later on and say he did not understand it.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I want some information and I desire to express my appreciation of the action of the conference committee. I understood the gentleman from Georgia [Mr. RAMSPECK] to say the other day that the new act, which included Members of the House and Senate, the President, and so forth, took in something like 285,000 or more people.

Mr. VINSON of Georgia. That is correct.

Mr. ROBSION of Kentucky. Could the gentleman give us, roughly, the number of persons who are included by this conference report or the number that are taken out?

Mr. VINSON of Georgia. Yes. Those that have been excluded are the President, the Vice President, Members of the Senate, Members of the House of Representatives and the heads of these Departments that I have read. They are excluded beyond the shadow of a doubt. Now some 200,000 employees have been covered in by the act of January 24. We sought to exclude those, but we were barred by the parliamentary situation and we could not do it. If the House wants to exclude those that came in after January 24, they have a parliamentary way to present the matter to the House.

Mr. ROBSION of Kentucky. The gentleman now is speaking of that number of around 200,000?

Mr. VINSON of Georgia. Two hundred thousand.

Mr. ROBSION of Kentucky. Does the recent act include, for instance, the postmasters of New York City and Chicago?

Mr. VINSON of Georgia. They were included under a previous act.

Mr. ROBSION of Kentucky. Does this exclude the United States district attorneys and the United States marshals?

Mr. VINSON of Georgia. No; there is nothing in the conference report that would exclude the district attorneys.

Mr. ROBSION of Kentucky. And it was the desire of the gentleman and the other conferees of the House and Senate to take them all out.

Mr. VINSON of Georgia. They are in by the law of January 24.

Mr. ROBSION of Kentucky. I am referring to the 285,000.

Mr. VINSON of Georgia. That is correct.

Mr. ROBSION of Kentucky. But the parliamentary situation was such that that could not be done, and the parliamentary situation is such now that we cannot vote on that question.

Mr. VINSON of Georgia. The gentleman is right about that.

Mr. HOFFMAN. Mr. Speaker, when this matter was here the other day I asked the gentleman from Georgia [Mr. VINSON] if, when the report came back, it contained a provision which would repeal the so-called pension provision for

Congressmen, it would also include a provision which would cover in, under the law, an additional number, something like 200,000, how we could vote. And, if we wanted to vote against our own pensions, we would be compelled to vote to cover these new employees in.

Mr. VINSON of Georgia. Why, you could not touch it from a parliamentary point with a 10-foot pole.

Mr. HOFFMAN. So that if I want to vote against a pension for myself, I must also vote to cover in these new employees.

Mr. VINSON of Georgia. That is correct, because the House unanimously passed the other bill which it was in.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. RAMSPECK. Mr. Speaker, the statement of the gentleman from Michigan [Mr. HOFFMAN] is incorrect, because the question that he is talking about is not involved in this conference report at all. The 285,000 other people were brought in by the act of January 24, and a vote on this conference report does not involve bringing them in or keeping them out.

Mr. VINSON of Georgia. The gentleman is correct, because the House passed that on January 24.

Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. VINSON of Georgia. Mr. Speaker, notwithstanding that the previous question has been ordered, I ask unanimous consent to make a statement in order to correct what I said a moment ago to the gentleman from Michigan [Mr. HOFFMAN], because I did not exactly catch what he meant.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, there is nothing in this bill that deals with the 250,000 employees referred to, because that has already been passed, and when we vote to exclude ourselves, we have nothing to do with the 200,000 who have already been brought in by previous law.

Mr. HOFFMAN. Mr. Speaker, I am sending up an amendment or instructions to the desk.

The SPEAKER. The gentleman from Michigan sends up the following:

That the report of the conferees be rejected and the House conferees be instructed to insist that all provisions of the bill which would cover additional individuals or groups be stricken out.

The Chair thinks that is not in order either as an amendment or an instruction at this point. The only thing that the House can do now is to vote up or down the conference report. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### MARINE INSURANCE

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6550) to extend and

amend Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended (Public, No. 677, 76th Cong.), approved June 29, 1940, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Line 9, after "as", insert "the Congress by concurrent resolution or."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. I understand the only change that has been made in the House bill is in respect to this concurrent resolution.

Mr. BLAND. That is all.

Mr. MARTIN of Massachusetts. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendment.

The Senate amendment was agreed to. A motion to reconsider was laid on the table.

#### ORDER OF BUSINESS

The SPEAKER. The Chair thinks it is proper to dispose of one or two conference reports before taking up the unfinished business, and suggests that if speeches be somewhat curtailed, it is possible that we can dispose of the unfinished business today.

#### UNIFORMS AND EQUIPMENT FOR CERTAIN RESERVE OFFICERS

Mr. MAY. Mr. Speaker, I call up the conference report upon the bill (S. 1891) to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army, so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1891) to amend an Act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment and in lieu of the comma following the matter proposed to be inserted by the House amendment, insert the following: "below the grade of major, on or"; and the House agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "Provided, That any officer of the Officers' Reserve Corps commissioned prior to Sep-

tember 26, 1941, who has received any allowance under the provisions of the Act of May 14, 1940 (Public, Numbered 511, Seventy-sixth Congress), as originally approved, or who would have been entitled to receive such allowance if he had completed any duty prescribed in the said Act and, in either case, who has not completed his first three periods of active duty training of three months or less in separate fiscal years following his original appointment, shall be entitled to receive the allowance provided in this section, if he has been or shall be ordered to, found qualified, and accepted for active duty for a period in excess of three months under his commission: *Provided, however*, That any sum which shall have been paid to any officer under the provisions of section 1 of this Act; and the House agree to the same.

A. J. MAY,  
EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,

*Managers on the part of the House.*

ELBERT D. THOMAS,  
ED. C. JOHNSON,  
WARREN R. AUSTIN,  
CHAS. GURNEY,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1891) to amend an act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army so as to provide allowances for uniforms and equipment for certain officers of the Army of the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment prevents the payment of the uniform and equipment allowance to persons commissioned in the Army of the United States subsequent to September 26, 1941, in the grade of major or any higher grade. The conference agreement adopts the amendment with an amendment thereto for the purpose of assuring that those officers who were commissioned on September 26, 1941, shall be entitled to the allowance for uniforms and equipment.

Amendment No. 2: This amendment provided for the payment of the uniform and equipment allowance to every officer of the Officers' Reserve Corps commissioned prior to September 26, 1941, and subsequent to June 3, 1916, who has been or shall be on active duty for more than 3 months. The Senate bill provided for payment of the allowance only to reserve officers who could qualify under the act of May 14, 1940. Only officers serving under their original appointments could qualify under the act of May 14, 1940. The amendment also clarified the application of the bill to those officers who have heretofore been, or may before the enactment of the bill into law be, called to active duty. The conference agreement rejects so much of the House amendment as would make the allowance payable to officers who were not eligible for the allowance under the act of May 14, 1940, and includes so much of the House amendment as clarifies the application of the bill to those officers who have heretofore been, or may before the enactment of the bill into law be, ordered to active duty.

A. J. MAY,  
EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,

*Managers on the part of the House.*

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. To ask the gentleman to explain this.

Mr. MAY. Mr. Speaker, this bill simply amends the act of May 19, 1940, which allowed to officers of the Regular Army and Navy of the United States \$150 in lieu of uniforms. That was payable under the act in installments of \$50 a year. The bill that is before the House at this time on the conference report changes that, not in amount, but so as to provide that it is limited to all officers not only of the Army of the United States, but of the Reserve Corps who were inducted into the service subsequent to September 26, 1941, and provides that where they have been paid any portion of the \$150 credit shall be given for such sum as has been paid, less the allowance to officers from the grade of major down.

Mr. MARTIN of Massachusetts. But it really extends it to the Reserve officers?

Mr. MAY. That is correct.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. WADSWORTH. I would like to ask the chairman of the Committee on Military Affairs if the committee made any comparison as between the allowance proposed here and the allowance made to corresponding officers of the Navy?

Mr. MAY. I do not recall that there was any testimony on that subject in the hearings on this bill, but I think it was agreed in conference that probably the allowances were the same in both the Navy and the Army when this bill was passed.

Mr. THOMASON. Will the gentleman yield?

Mr. MAY. I yield to my colleague from Texas.

Mr. THOMASON. The distinguished chairman of the committee is mistaken about that, I think, because the allowance for the Navy is considerably more, but it ought not to be. These allowances ought to be equalized as between the Army and the Navy, and I am sure the gentleman from New York will agree with me.

Mr. WADSWORTH. That was the purpose of my asking the question; not to oppose the conference report. But I suspect that here is another instance where the pay schedules and allowances of the Army and the Navy are beginning to lack uniformity, and that men in one service get more for performing the same duties than the corresponding officer in the other service.

Mr. MAY. That is true, but the Army did not ask for any more than the committee gave them. The committee gave them all they did ask for.

Mr. WADSWORTH. I am not complaining about the amount, but when another branch of the service comes and asks for more money they get it. The situation is going to become indefensible.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to my colleague from New York.

Mr. ANDREWS. I might say that it was pointed out by some of the Navy that their service is more rigorous and

they require more money for their allowance than the men in the same service in the Army.

Mr. WADSWORTH. That is open to debate.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

#### IRRIGATION AND WATER UTILIZATION, MOLOKAI, T. H.

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the Committee on Irrigation and Reclamation be discharged from further consideration of the bill (H. R. 6670), to provide for an irrigation and water utilization project on the island of Molokai, T. H., and that the same be re-referred to the Committee on the Territories. I have conferred with the chairman of the latter committee and the sponsor of the bill, and this action is agreeable to them.

The SPEAKER. Is there objection?

There was no objection.

#### PAYMENT FOR TRAVEL OF PERSONS DISCHARGED FROM THE ARMY ON ACCOUNT OF FRAUDULENT ENLISTMENT

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment.

The Clerk read the title of the bill.

The conference report and statement are as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

A. J. MAY,  
EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,

*Managers on the part of the House.*

ELBERT D. THOMAS,  
WARREN R. AUSTIN,

*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1782) to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment provided that persons who fraudulently enlist in the Army, representing themselves to be within the age for enlistment when they are below such age, should hereafter receive honorable discharges; and that persons heretofore given dishonorable discharges or discharges without honor from the Army because of having



represented their age to be greater than it was should be deemed to have been given honorable discharges. The conference agreement eliminates the House amendment.

A. J. MAY,  
EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,

*Managers on the part of the House.*

Mr. MAY. Mr. Speaker, this bill covers the question of fraudulent enlistments where soldiers enlist and make false representation as to their age in order to get in. The Army thinks they ought to be honorably discharged as far as that is concerned and be paid \$10, the usual fee that is paid for transportation back home, if that is the smaller of any amount that is due.

Mr. MARTIN of Massachusetts. It is just a question of transportation back home.

Mr. MAY. Transportation and honorable discharge to those who just made the sole misrepresentation as to their age.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. MOTT. As I understand, there is a provision in this bill providing that the person be discharged from the Army if he falsifies as to his age when he came in. What is the provision that the gentleman is talking about?

Mr. MAY. The provision is that where he makes representation solely as to age, by saying he was 21 when he was not 21, in order to get into the Army, that he be given an honorable discharge and given pay to go back home.

Mr. MARTIN of Massachusetts. They are not discharged now, anyway, are they?

Mr. MAY. No.

Mr. MOTT. Then, why is this provision in the bill?

Mr. MAY. Some of them may be discharged for that reason or for other reasons.

Mr. MOTT. Does the gentleman know that a number of our outstanding Army officers would have been out of the service long ago if that rule had been applied?

Mr. MAY. They have not been giving them dishonorable discharges in recent years for that.

Mr. MOTT. The recent Adjutant General of the Army, General Adams, lied about his age in order to get into the Spanish-American War.

Mr. MAY. And he has rendered great service to the Government.

Mr. MOTT. Thousands of other boys 17 and 18 are lying a little about their age, and they have rendered great service.

Mr. MAY. That is true. That is what I am talking about.

The SPEAKER. The question is on agreeing to the conference report.

Mr. WHITE. Mr. Speaker, I do not think one side should have all the privilege of inquiry. I would like to ask a question.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

## SECOND WAR POWERS BILL, 1942

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 2208) to further expedite the prosecution of the war.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2208, with Mr. COOPER in the chair.

The Clerk reported the title of the bill.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to address the Committee for a minute to make an announcement.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. With regard to the Smith amendment adopted by the committee yesterday, there has been prepared a memorandum of explanation, copies of which are on the tables, both on the majority and the minority side, so that Members who may want to examine it will find it available. May I state in this connection that, as set forth in this memorandum, a great many people place the construction on this amendment that it would limit future purchases, from now on, of bonds and obligations of the Federal Government to five billion without limit. Something will have to be done about that. Anyway, the memorandum is on the desk.

Mr. CARLSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARLSON. May I ask the Chairman if the Smith amendment suspending certain labor provisions is not open for debate and discussion at this time?

The CHAIRMAN. The gentleman is correct.

Mr. CARLSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas is recognized for 5 minutes.

Mr. CARLSON. Mr. Chairman, yesterday I received a letter from one of my constituents who has three sons in the draft. One of the boys is now in the southern Pacific, another one is on the way, and the third has been given a deferred draft status because of defense work. This father is pleading with Congress to do something to secure supplies for our boys who are fighting so gallantly with General MacArthur in the Philippines and other southern Pacific points. His plea is the same as that of thousands of other fathers and mothers in this Nation. The son who has been given a deferred status is now working in a national defense factory at a salary of \$8 a day; time and a half or \$12 for working on Saturday, and double time or \$16 a day for Sunday work. Last Monday he reported to the plant as usual and was advised by a union leader that he would not be allowed to work because the factory would not pay double time for Monday, which they regarded as a holiday.

The boys in the service receive \$21 a month. Working hours are not considered—there is no double pay for overtime and their life is in danger every minute. Not even a radical labor leader can justify the stoppage of work in hundreds of our plants last Monday because they would not pay double time.

In this debate it has been suggested that the President should be allowed to continue handling the labor situation. The record speaks for itself. On numerous occasions the President has had an opportunity to deal with labor and its problems but about the only thing he has done is appoint new boards. Today Congress has an opportunity to express itself. It should express itself. We have an obligation to our people in this national emergency. Everyone must sacrifice and I am positive the laboring men and women of this country want to do their share. They have sons at the battle front and are gravely concerned about the production and transportation of war supplies. The pending amendment is not an antilabor amendment. It merely suspends, for the duration of the emergency, the provisions of law which have been adopted in past years as part of a great labor-improvement program. There was some justification for these laws during peacetimes, but during a war we must suspend every law that impedes our defense effort.

Our citizens are making sacrifices. We are accepting, without complaint, the regulations placed upon us by governmental order. We are investing our money in bonds and stamps. We are bearing increased tax burdens and in the near future we will be forced to reduce our standard of living. This is no time for the farmer, the industrialist, or laborer to demand excessive financial gains. This is a time of sacrifice. Every day and every hour lost in the factories because of pre-war laws and regulations may prove disastrous. Congress has the direct responsibility of clearing all decks for action. The American people are ready to give their all in this emergency. Our boys are at the battle front and labor has a desire to devote all of its energy to final and complete victory. As I see it existing laws passed by this Congress, together with the action of certain labor leaders, are the obstacles that hinder production. Again I want to say that this amendment does not question the patriotism of labor, nor is it antilabor. It is pro-labor and pro-American. Why not forget all personal interest in the matter and for the sake of God and for the sake of our country let us adopt it.

Mr. TARVER. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I rise in support of the Smith amendment. It is not, in my judgment, intended to punish labor. The vast majority of workers in this country are just as patriotic as you or I. They have done nothing which deserves punishment. On the contrary, their patriotism, their industry, their willingness to sacrifice in the national defense is the finest evidence of the success of democratic government that we have today. Thank God that it is so.

Whenever it becomes necessary to force American labor to perform its patriotic duty, we might as well lay down our arms and quit the fight. There will be no chance to win except by the continuance of the voluntary, enthusiastic, and full-measure cooperation of the vast majority of American workers—on the farm, in the factory, and everywhere else.

That there are exceptions to these general declarations must be recognized. These exceptions must be dealt with. Isolated cases, where workers, deceived by irresponsible and, in some cases, unpatriotic leadership, are refusing to build ships and bombers and manufacture munitions while our brave soldiers and sailors die for lack of those things, must be eliminated. The great majority of workers themselves desire that it may be done. It is unfair that they shall be condemned because of the misconduct of a comparatively small number. But the small number who will not cooperate voluntarily must be made to cooperate, just as the small number who do not voluntarily meet their obligations in selective service and in other defense efforts are made to recognize their responsibilities.

This is not an amendment to enslave labor. It is an amendment to free labor—to permit patriotic Americans in industry upon whom our hopes largely depend to throw themselves fully into the national defense effort to the limit of their capacity, just as our boys in the battle lines are doing for small compensation. Who says that in the face of this great national peril Americans in industry desire to be limited to working 8 hours a day, 5 days a week, unless they are paid time and a half for overtime and double for Sundays and holidays? I deny any such contention. Take the fetters off of American labor and see how fully it will meet your expectations in the defense of our national life and liberty. A sacrifice; yes. Who claims that American labor is unwilling to sacrifice? The arguments advanced here which would bear that construction are not made by men who really represent the heart and soul of American labor.

This proposal, or one like it, will be enacted into law. You may not do it now; you may do it when it is too late. It may be necessary to wait for another Congress to do it. But it will be done, because the American people are not going to stand for the enforcement during this emergency of laws that hamper our defense effort. When Uncle Sam is fighting for his life, they are not going to stand for their own Congress leaving him with one hand tied behind his back by laws that restrain and restrict our defense program. He will be untied. You will either do it or the American people will send somebody here who will. God grant that it may not be done too late, as in the case of France.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, coming from a district in which there is much manufacturing but not having "supped at labor's table" and fearful that I may not be invited, I should perhaps make a statement rela-

tive to this amendment. I think that I voted for all these measures that you wish now to modify for the duration. I have often asked labor leaders what I have voted against that did not suit them. They do not seem to be able to tell me.

Mr. Chairman, if we take everybody else by the scruff of the neck under this bill, why should we refuse to act in this matter? It really changes little the advantages already gained by labor. To object so strenuously I cannot understand. We are placing priorities, price control, and every sort of restriction on everybody else. Why not free labor from some of the exactions of the present laws? I have received strong letters from my district asking me if I have not any courage left. The country as a whole is demanding that we show some courage here today, even though it may be a day to try some of your souls, lest you be misunderstood. We must do all possible to prevent delay of production. This ought to be helpful.

I recall what happened in the city I represent on Washington's Birthday. The papers have carried correspondence expressing both sides of the question of working on that holiday. Mr. Nelson requested workers to work on that day. The union leaders requested their members not to do so. They said that only legislators could make holidays and employers had no right to require them to work. And if they did work on that holiday they should demand time and a half, and if they worked on the following Saturday they also wanted a ruling that they would get time and a half for that day also. I do wish they had returned to work and adjusted the differences later.

Of course, Mr. Chairman, labor does not want to give up anything. They seem to want to consolidate and increase their gains during these critical times. They have some right to deny lack of patriotism by comparison with some other groups. I was on the sidelines when the cantonment in my district was being constructed. I saw men refused jobs on this defense construction unless they paid \$75 to the union. The treasury of that little union was filled to overflowing. In spite of the fact that the labor leaders in my city are of unusual ability and fairly conservative, they undoubtedly feel that they must not yield to any possible weakening of their position. During the last 10 years I have often seen fit to congratulate them in their conduct and the direction of their followers. However, it seems that when a legislator goes along 99 percent, but fails them 1 percent, they have no further use for him. I might as well warn you that unless you vote 100 percent all the time you are no longer trusted by them. Many have tried it. I do not know how the public feel in my district about labor's failure to respond on February 22. I have carefully read the statements of the labor leaders and those who asked them to work, and I again repeat their argument that only legislators can change the situation. Apparently they cannot work more than 40 hours, even if they wish to work, unless they get

time-and-a-half pay. This amendment, if passed, would not prevent bargaining and arbitration relating to their pay. It is very generally allowed above the 40 hours.

For the duration of the war I want to uphold the President's hands. Our President seems to think he can handle this labor situation. Some of us do not think he has handled it successfully. He has always given ground, and he will be criticized unmercifully by labor leaders if he does not go all the way. He cannot be 99 percent and fail on the 1 percent, either. I think he must have already learned that. I am sorry to hear the cry go up to the heavens from these Members proclaiming that this amendment does away with all the gains that labor has made. It is not true. This legislation is only for the duration and really affects the situation but little. Strikes and demands and collective bargaining and arbitration will still be in order. It is quite apparent that this act would simply allow longer hours and different adjustments of pay when both parties agree to the conditions on arbitration.

[Here the gavel fell.]

Mr. MONRONEY. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. MONRONEY to the amendment offered by Mr. SMITH: On page 1, line 9, of the Smith amendment, after "as amended", strike out the remainder of the line and insert "may be suspended by the President in plants determined by him to be vital to production of war supplies insofar as they."

Mr. MONRONEY. Mr. Chairman, this is a very simple amendment offered in an effort to meet a situation which I believe we all realize we are faced with. This is not a prolabor amendment nor an antilabor amendment. We recognize we are in the greatest conflict that has ever faced this Nation. The House is very nervous because the people are very nervous. The strain of war is just beginning to be felt. With our second wind we will soon be ready for all-out effort. We are facing desperate losses in the Pacific.

I believe amendments such as that introduced by the gentleman from Virginia [Mr. SMITH] would have a very disrupting effect upon our war production at this time. It would divide our country without increasing war production.

As Members of the House we have one principal job to get done here. We must ask ourselves the question, "Will it give us more war production?" The Smith bill as offered, I am afraid, would give us less war production. I believe it will promote strikes instead of discouraging strikes. Further—and I believe it is unintentional on the part of the gentleman from Virginia—it comes in under the guise of war effort, but would take away from a great mass of unorganized American workers in strictly nondefense industries the rights and privileges they have long deserved. I do not believe that any group should use the war emergency as an excuse to repeal or suspend protection for workmen in nondefense industries.



From the figures released by the Department of Commerce we find that last year only 25 percent of the industrial capacity of the United States could be devoted to the war effort. The most optimistic estimate of the portion of American industry that will be devoted to the war effort during this coming year is 58 percent at the close of this year. These Smith amendments would take away from at least 42 percent of our workers—those not engaged in the war effort—protection they need against sweatshop conditions.

I realize well that in essential war industries we must have all-out production. I feel that wage-and-hour limits must be suspended in plants and factories vital to the war effort. My amendment so provides that the President may suspend limitations where such production is vital to our war effort.

The President has demonstrated his great humanitarian ideals. He realizes as Commander in Chief the problems that face us on the production line. We in this House cannot, in legislating, exempt one group of industry and put another under the Wage and Hour Act; but the President, knowing all the war-production conditions and knowing where the bottlenecks in industry exist, has possession of the facts that will enable him to make this determination judiciously. With my amendment in the bill, the President will be given the power he needs to smash defense bottlenecks.

In this war effort we need unity more than anything else. We can lose territory in the Pacific and shipping in the Atlantic and still win the war if we do not lose our unity. Any measure that is brought in here that does not tend to promote unity at this hour is, indeed, dangerous to the future of the Union.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. RUSSELL].

Mr. RUSSELL. Mr. Chairman, the day before yesterday I picked up the paper and read an article stating that MacArthur's men are calling for tools with which to fight the Japs. You read that article. The night before last I picked up the evening paper and read that MacArthur himself is calling for tools to fight with.

The lovable majority leader said that this amendment is antilabor. I beg leave to differ with that distinguished gentleman, and say that this is an amendment of pro-Americanism. When the time comes that American labor cannot be free it is high time that this Congress should act. If MacArthur is calling for help, if those boys are calling for help, for tools to fight with over there, do you not think it is high time that America answer that call?

The original bill that is before the House seeks to suspend the operation of 13 or 14 statutes. One of those statutes is as dear to the American way of life as life is itself. It covers the right to maintain and own property and preserve it until under condemnation proceedings adequate compensation has been paid therefor; yet this title seeks to set aside the basic law of the land. I wonder why

someone is not objecting to that part of this bill. We do not hear any objection to it.

The day before yesterday I received this letter:

DEAR SAM: Why should my son sacrifice everything—possibly his life—

I may say that that son is fighting today in the Bataan Peninsula—

while at the same time members of labor unions refuse to work on holidays unless they get double-time pay?

I think that it is high time that Congress puts a stop to all that tommyrot. If the labor unions are stronger than Congress, we might as well do away with the President and Congress and let John L. Lewis and the other foreign agents run things—they're running them anyway. While they are doing it our sons are getting ready to die.

Sam, this is serious. Don't you think that if a member of a labor union doesn't want to work, he should be immediately drafted into the Army at the Army pay and made to do just like the other boys do? It has come to a matter of fight or work. There are a lot of things I don't like about my job, but I'm not striking about it.

Pull the skids out from under whatever is blocking action against the labor unions there in Congress and let's have a control program that will put the workers in the unions on the same basis as all of the rest of us for the duration.

This father is a professor.

Mr. Chairman, in that same mail I received this letter:

From the standpoint of an average citizen, it looks as if the Members of Congress are going to have to demonstrate to the citizenship of this country that they have some intestinal fortitude. This with special reference to the matter of union labor. Under war conditions, the actions of some of these unions are to the average citizen pitiful. People generally are "riled" up this morning at the action of the union, which for the paltry difference in time and time and a half or double time for 1 day have lost so many work hours from the production for war. The general attitude is expressed by the favorite words of the funny-paper character Yard Bird Smith that "time's awasting" for some action to force the unions to do the right thing in case they do not see the swing away from any sympathy for their cause at all. Surely legislation could be passed for the duration of the war to handle this matter. After the war then the law passed would be of no effect.

I have heard it said and written the Congress is not to blame, as the President would block such legislation. People are back of the President fully and believe that he wants to do everything to win this war, so doubt this seriously. It looks as if it is up to Congress, and if they pass this legislation, then and not until then have they done their duty.

If this gentleman from my district had been here yesterday and today, he could readily have seen who is blocking such legislation, and he would at once know that the men in Congress who are opposed to such tactics on the part of any organization and who are fighting their hearts out to eliminate such un-American activities, then he would not blame Congress, and especially those men who have the real interest of America at heart.

Under the war program, as under the main parts of the bill we are now discussing, statutes have been modified for the duration of the emergency. Rights have been taken from citizens and even

communities, because we want to further our chances in this terrible conflict. The automobile business—one of the first casualties of the war—has been completely driven out. The men working in automobile establishments have necessarily lost their full jobs. The tire dealers are another war casualty. They too have been put out of business, and their employees have lost their full jobs. In many instances small business enterprises have been completely ruined—all to further the war effort.

And now we find in Congress men who still want to shield labor leaders and object to any kind of a suspension of the labor laws which would free labor and give those men and women the right to work an extra hour or two in order that our soldiers who are fighting unto death may secure better weapons and tools with which to defend themselves.

Mr. Chairman, this does not appeal to me as true Americanism, and I know it does not appeal to the rank and file of union labor, 85 percent of which is patriotic and wanting to be freed so that they may assert their Americanism in added production for our boys. The Smith amendment will give labor this freedom; it will give them the right to work for our boys who are so sorely in need today. It will allow union labor to work 1, 2, 3, or 4 extra hours in the manufacture of defensive equipment, without extra pay, without time and a half or double time pay, for those boys. And I say again that the rank and file of American labor desires this freedom.

Those union laborers are under a dictatorship. They have to abide by the wishes of their leaders. The Smith amendment would suspend these laws for the duration and throw off the yoke of dictatorship from those people who want to give their best in behalf of their fellow Americans who now are fighting on the battle lines in order that they and their country might survive.

So, Mr. Chairman, let our answer be to the mothers and fathers of America who have boys in our fighting forces, whose businesses have been dislocated—let this Congress now say that it is backing those boys and those people to the fullest by passing this Smith amendment and give their brother Americans who are engaged in the manufacture of equipment, the right to do their best in this hour of peril to all of us.

[Here the gavel fell.]

STRIKES AGAINST THE GOVERNMENT MUST STOP NOW

Mr. CLUETT. Mr. Chairman, I favor the amendment offered by the gentleman from Virginia as title IV-A of the bill now under consideration and will support it. If we are to win this war, labor and our fighting forces must be placed on an equal footing. This is no time to quarrel over hours and pay. We demand of our soldiers everything they have and shall we tell them here that everything they demand from us will not be forthcoming?

While we are engaged in this greatest of all human endeavors, no special privileges should be granted to anyone—high or low, rich or poor, in or out of the Government. Are these demands of labor to

be granted? Shall we not resist this pressure on Members of Congress to favor them with shorter hours and increased pay, slowing up our productive capacity when the crying need of the Nation is for the fullest measure of our physical capacity? Is all this the sort of news we wish to send our fighting men in their anxiety for more and more weapons? While we argue they may die, and the blame will rest with us. The President has told us these delays must end. Let us insist that we give him the power to act, and without delay.

There is lot in these United States today any more important subject discussed than that of interference with our war production. No matter by what method or by what group, either of capital or labor, it constitutes what is and what will prove to be a most dangerous situation. Jurisdictional disputes, the right of a closed or open shop, intimidation and violence, and the forceable prevention of a man's right to work present a picture of revolution and disrespect for orderly government which every decent citizen must resent.

While I am aware of the decisions of our highest courts, I have always believed that picket lines strike at the very foundation of orderly government.

I have before me a cartoon or sketch which appeared in yesterday's Times-Herald, which probably you have seen. It depicts a private soldier marching in front of general headquarters, and on this banner are the words "Gen. Douglas MacArthur is unfair to Company C." Is this the kind of thing we are coming to in these dangerous hours?

We have witnessed these scenes from the very doors of the Capitol and protests over them ignored. Even the White House has been subject to such displays. Banners calling men and their places of business unfair and subjecting them to ridicule, and in many cases disruption and loss of their business, and this in a free country. Lines marching under the shadow of our Supreme Court Building with the words "Equal justice under law" emblazoned on that majestic building, a symbol of all we hold right and secure for every citizen. Picketing and its certain corollaries, strikes, and disorders not only have no part in our supreme war effort, but people are demanding that the Government put a stop to them at once. Appeals for sacrifice for the purchase of Defense bonds and for immediate and all-out defense production become a mockery unless every lawful method is employed to prevent these attacks.

The news of such disorders and delays and disruption of our war effort is enough to dismay and dishearten the millions of our young men who are eagerly waiting and watching for fighting equipment which may mean life or death to them—men waiting to make more sacrifices than those of us at home can possibly contribute. Unless this Government can prevent such a situation, I shall be ashamed to call myself a citizen. Can any demand be more compelling?

Legislation passed by this House last year which would have corrected to a large extent strikes and disorders and subsequent closing down of defense fac-

ories has been refused immediate consideration by the Senate, and apparently our voice and efforts have been of no avail. Who are responsible for this? What a waste of our time—valuable time, critical time—and today thousands of man-hours are being lost which cannot be regained despite reports that all is quiet on the Potomac, and everywhere else where quiet means lay-offs and shut-downs and idle defense machinery.

Let us compel these racketeers to work or fight. No one would approve of this order more than labor itself, who are sick and tired of the commands and penalties put upon them by irresponsible union leaders.

We have seen all other efforts of conciliation and compromise fail. In God's name let this Congress act now before it is too late.

Mr. THOMASON. Mr. Chairman, I rise in support of the Monroney amendment.

Mr. Chairman, I can in good conscience and with complete sincerity support the Monroney amendment, because I think there is a lot of virtue in it. But when it comes to the so-called Smith amendment, I honestly fear that some of the Members of the House are letting their prejudices get the better of their judgment. Perhaps the Monroney amendment should be defeated until the committee has time to give it careful study; but if either is to be adopted now, it is far preferable to the Smith amendment.

A careful reading of the Smith amendment will disclose that, without any hearings or testimony by the committee, an amendment is offered to the war powers bill by the gentleman from Virginia [Mr. SMITH] suspending 17 labor acts that have been passed during the last 30 or 40 years. I am not certain, but some have claimed that it even suspends the Adamson 8-hour law for railroad men.

Mr. RUSSELL. Oh, no.

Mr. THOMASON. That charge was made here yesterday, and I have not had opportunity to give it close study, but certainly, whether it does suspend that law or not, it repeals some of the most important labor laws that have been passed during the last 25 years, regardless of what administration may have been in power. I am not going to be a party to any such hasty and unwise action. Such a law would be an unjust and futile slap at all labor, organized and unorganized.

Mr. RUSSELL. The gentleman means "suspends" instead of "repeals."

Mr. THOMASON. Yes; I accept the correction. I mean suspend, which would probably amount to the same as repeal. Honest labor would never regain its lost ground.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. Is it not a fact that there is probably in this repealer or suspension a repeal of the child-labor provision?

Mr. THOMASON. I have heard that strongly contended; and not only the child-labor provision, but some are even claiming it suspends the right of collec-

tive bargaining and that we go back to the old sweatshop days and suspend all labor laws insofar as they affect private industry. Honest and patriotic labor has fought for years for this legislation. I am not willing to sabotage them now.

I am one of those who believes that 98 percent of labor is just as patriotic as any of the Members of this House, and I am not willing to indict and to condemn 98 percent of the American laboring people for the sins of 2 percent. If you want to be both fair and practical about this thing, it seems to me the adoption of the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY] would be quite reasonable and accomplish the desired end. As for my own part, I did what the great majority of the Members did when we passed the Smith bill which is now pending in the Senate. I supported and spoke for the so-called Connally bill. But we are not responsible for the action of another body; and now to go along with this bill and with one bold stroke, without any hearing or study, suspend 17 of the labor laws for which decent, honest, patriotic labor has struggled for 25 years, I undertake to say, is not fair, and I am not willing to support it. As the gentleman from Oklahoma so well said, such action will be conducive of discord rather than harmony. Such legislation would provoke rather than stop strikes. I join with him in his plea for unity. If there ever was a time when we ought to say to the 98 percent of honest and patriotic labor in this country, whether in munitions plants or wherever they may be, that they ought to be commended and we should applaud them for their efforts, it is now. I will support, as I have done, a bill to put the 2 percent, including their crooked leaders, out of business.

I sincerely hope that the Smith amendment is not adopted. I think the other is quite feasible and quite reasonable and will accomplish the desired end.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman.

Mr. HOFFMAN. Is not the Monroney amendment an amendment to the Smith amendment?

Mr. THOMASON. Yes; and I am for it. I am willing to trust the Commander in Chief to do the necessary thing. I still believe in him.

Mr. HOFFMAN. A substitute for what?

Mr. THOMASON. It amounts to a substitute for the Smith amendment.

Mr. HOFFMAN. Do we not have to adopt the Smith amendment in order to get in the Monroney amendment?

Mr. THOMASON. The vote comes first on the Monroney amendment.

Mr. HOFFMAN. Yes.

Mr. THOMASON. I am not certain what the parliamentary situation is in that respect. Regardless of what it may be, it will have the effect of killing that part of the Smith amendment that absolutely suspends all these acts. It leaves it to the discretion of the President and refers only to defense industries.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?



Mr. THOMASON. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. With all deference, the Monroney amendment is an amendment to the Smith amendment, and the substance of it is that it gives the President of the United States power to suspend such acts in plants determined by him to be vital in war production.

Mr. THOMASON. I stand corrected, and I thank the gentleman. That is the end sought to be accomplished, and I hope the Monroney amendment will be adopted. There is not a word in the Smith amendment about strikes. It would not accomplish that end. It would only create confusion and discord. We all want to stop strikes, and I have voted for every bill that has that for its purpose. The Connally bill had that for its objective. The only thing this Smith amendment would accomplish would be to place in the pockets of big rich contractors who already have lump-sum contracts the large sums of money they would save by not having to pay time and a half for overtime under their collective bargaining contracts. This is no time to smear all honest and patriotic labor for the sins of a few. I will not be a party to it.

Mr. O'CONNOR. Mr. Chairman, I am just as much opposed to any interruption in the production of our war equipment by strikes, or by any other reason, as any Member of this House. I listened to the President of the United States the other night, and he made this statement, and he made it in such fashion that I know that he meant it. He said that there will be no interruption in production. He has the power to put that statement into effect now. Automatically, when war was declared by this country, the President of the United States assumed a dual capacity—first, as President, and, second, as Commander in Chief of the American Army and Navy. He is responsible for the conduct of this war. He knows what we need. He knows what is best to keep up and facilitate production. He has not asked for the Smith amendment, nor has he asked for the Monroney amendment. Let us not give him something he may not want. I am willing to trust the President of the United States in this matter. What is the history of this proposed legislation? Parenthetically speaking, several men supporting these amendments have taken this floor and deprecated the fact that our draftees and selectees are serving in the Army for \$21 per month. I feel the same way as they profess now to feel, but I wonder where they stood when I tried to raise the base pay of the selectees to \$50 per month when the conscription bill was before the House for consideration. Where were those gentlemen then? Did they vote for my amendment?

Mr. MURDOCK. Mr. Chairman, I want to remind my friend that I voted for this amendment offered by him.

Mr. O'CONNOR. I want to read from what the Attorney General, Mr. Biddle, said. He is testifying before the committee which reported out this bill. The gentleman from Nebraska [Mr. McLAUGHLIN], the chairman of the subcom-

mittee who held the hearings, yesterday very lucidly, clearly, and ably told us how this bill came into existence, and that should be enough for any Member of this House to satisfy him that the bill should not be amended by including such a controversial subject as is embraced in the amendment of the gentleman from Virginia. What did Mr. Biddle say? I quote from his testimony:

It might interest you to know the method in which the bill was originally prepared, as I think it is probably a very good technique, particularly during this period when many of the departments are anxious to get through bills which they think affect their efficiency in the war.

What we have done—we did this immediately after war broke out, with the approval of the President—was to organize a small subcommittee in the Department of Justice, of which the members are Judge Townsend, who is the Acting Solicitor General, and in charge of our Opinion Section and Drafting Section; Mr. Cox here, who is General Counsel for the Office for Emergency Management, an important job, who is a member; and a Mr. Kemp, general counsel of the Bureau of the Budget, who was designated by Mr. Harold Smith, the Director, to sit on that subcommittee. In that way we were able to clear rather more quickly than by the usual procedure the demands and requests of the various departments. I wrote to all of the departments and requested them to clear, through me, any legislation they had in mind, because so often a bill will affect different departments.

So, every department was called upon to submit to the Department of Justice what they thought was necessary to facilitate the production of war materials. The bill was drafted, now what follows? He further stated that after that the bill was sent to the leaders of the Senate and the House, to Mr. BARKLEY, and the Speaker of the House, and that they would, of course, distribute it to the various committees.

The Speaker of the House then referred the bill, very properly, to the Committee on the Judiciary of the House. This committee to my way of thinking is one of the ablest and just of this body.

Mr. Chairman, has the Speaker asked for any change in this? Has the President asked, or the Department of Justice asked for this addition? No. Now what is this bill? I quote further from Mr. Biddle's testimony:

The second war powers bill is composed of a number of measures needed by the various Government departments and agencies in the prosecution of the war effort.

Mr. Chairman, I think if this amendment were to be adopted by Congress it would not serve to increase production and after all is said and done that is what we are aiming to do by this bill. That is why the Department of Justice worked on it pursuant to requests from the various other departments and that is why the President approved it. Increased production was and is our objective. We cannot, by innuendo or otherwise, cast aspersions upon the patriotism of the laboring class of people of this country. They are the ones who are actually making the ships, planes, tanks, guns, and ammunition. They are as patriotic as we are or as any other body of men and women are. Among them, of course, are

exceptions but such exceptions constitute a negligible percentage.

Now as the gentleman from Massachusetts [Mr. McCORMACK] well said yesterday, he did not believe it was the intention of the gentleman from Virginia [Mr. SMITH] to indict labor as a specific class, but regardless of the intention of the author of the amendment, the reasonable interpretation to be placed upon it when the debates of the House will be examined is that it takes a crack at labor. Had we better not, in the interests of unity, in the interest of sustained and increase of production of war materials, be on our guard lest we question the patriotism of such a class of people as the laborers of this country, because after all that old saying, "you can lead a horse to water but you cannot make him drink," still rings true. Ninety-nine percent of labor today is behind our Commander in Chief of the Army and Navy. Our Commander in Chief knows this—hence he is not asking for this legislation. Again let me say we must not overlook the fact that we should not be blind to the forest because we see nothing but some brush close to us. The forest I have in my mind's eye is our great big, fine United States and all of our people. The brush that obscures our views of the forest is the maybe 1 percent of the laggards in our production program.

The CHAIRMAN. The time of the gentleman from Montana has expired.

Mr. FOLGER. Mr. Chairman, I offer the following amendment as a substitute for the Smith amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. FOLGER offers the following amendment as a substitute for the Smith amendment: Amend title IV of S. 2208, by adding after the period in line 11, the following:

"Whoever, during the period of this war and while the United States is engaged therein shall order, call, advise, or cause any strike, walk-out, or lock-out of workers (a strike, walk-out, or lock-out resulting) in any plant, factory, mill, mine, or other place engaged in defense or war production work, shall be guilty of a felony, and, upon conviction, shall be punished by fine of not more than \$5,000 or imprisoned for not less than 1 year nor more than 10 years, in the discretion of the court. Such offense shall be deemed as an offense against the United States of America and shall be cognizable in the district courts of the United States and the District of Columbia."

Mr. CASEY of Massachusetts. Mr. Chairman, I make the point of order against the substitute amendment.

The CHAIRMAN. The gentleman will state the ground of his point of order.

Mr. CASEY of Massachusetts. It has to do with walk-outs, lock-outs, strikes, and it contains penal provisions, punishment for certain action that has nothing whatever to do with the purpose of the bill under consideration.

The CHAIRMAN. Does the gentleman make the point of order upon the ground that the substitute is not germane?

Mr. CASEY of Massachusetts. That it is not germane.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from North Carolina on the point of order.

Mr. FOLGER. As the Chair observed yesterday this is an unusual bill in that it deals with many subjects, but at the same time is designed and intended to expedite and to prevent interference with war production in this country. I submit, Mr. Chairman, that this strikes at the very root of interference with and therefore tends to expedite the war production in this country. I am seeking to get at the leaders and not to take away from the men themselves every right in the world that they have obtained under the law.

Mr. CLARK rose.

The CHAIRMAN. Does the gentleman from North Carolina desire to be heard on the point of order?

Mr. CLARK. I do, sir.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. CLARK. Mr. Chairman, as I understand the question of germaneness, it means things between which there is a close relationship; a pertinency. If you go right to the bottom of the term, technically it means kinship.

On yesterday when the point of order against the Smith amendment was being presented, the gentleman from New York [Mr. Celler] at some length proceeded to show how the several subjects in this bill are wholly unrelated and not germane one to another. Certainly there is no close relationship between the nationalization of a citizen and the right of the Federal Reserve bank to buy bonds directly from the Treasury.

The CHAIRMAN. Would the gentleman indulge the Chair a moment at that point?

Mr. CLARK. Certainly, Mr. Chairman.

The CHAIRMAN. The Chair directs attention to the fact that the question here presented is not a point of order against the amendment offered by the gentleman from North Carolina [Mr. Folger] to the pending bill. The point of order here presented is that the amendment offered by the gentleman from North Carolina [Mr. Folger] is not germane to the amendment offered by the gentleman from Virginia [Mr. Smith]. The question here presented is whether the amendment offered by the gentleman from North Carolina is germane to the pending amendment—not to the pending bill.

Mr. CLARK. I thank the Chair for having noted that distinction. May I make a parliamentary inquiry of the Chair?

The CHAIRMAN. The gentleman will state it.

Mr. CLARK. Would the way be open to offer the amendment as an amendment to the original bill? If so, I would not care to discuss the point of order at the present time.

The CHAIRMAN. It could be offered at the proper time. The Chair could not undertake to rule on what question might be raised later.

Mr. CLARK. Now, on the other point, as to whether this may be germane to the Smith amendment, I only want to make this brief observation: The bill under consideration, from its inception, wholly

ignores any rule of germaneness as we commonly consider that question. The only common ground upon which these several subjects can stand is that they would facilitate or expedite the war effort. If the Smith amendment is germane to the bill it must stand only upon that ground—the common ground of promoting the war effort. If the amendment now offered by the gentleman from North Carolina [Mr. Folger] qualifies as being in line with the general principle of promoting the war effort, of expediting the war effort, then it would have its feet planted firmly upon the only ground upon which these several wholly different subjects could be considered by the Congress.

Let me add, Mr. Chairman, I say that because since the fall of France the primary problem of America has been one of production. As the tragic days have passed that problem has increased day by day, and we have come now to the point where unless America can produce itself out of its difficulty it will not get out. In my judgment, from a common-sense standpoint, if the amendment offered by the gentleman from North Carolina [Mr. Folger] would tend to increase the productive power of the Nation, it must be germane to this omnibus war-powers bill.

The CHAIRMAN (Mr. Cooper). The Chair is prepared to rule.

The gentleman from North Carolina [Mr. Folger] offers an amendment as a substitute for the pending amendment offered by the gentleman from Virginia [Mr. Smith]. The gentleman from Massachusetts [Mr. Casey] makes a point of order against the amendment offered by the gentleman from North Carolina [Mr. Folger] on the ground that it is not germane to the amendment offered by the gentleman from Virginia [Mr. Smith].

The Chair feels it appropriate to again call attention to the fact stated a moment ago that there must be borne in mind a very clear distinction on the point as to whether the amendment now offered by the gentleman from North Carolina would be in order to the pending bill and as to whether it would be in order as a substitute for the pending amendment. Of course, the Chair does not now undertake to pass upon the question of whether the amendment offered by the gentleman from North Carolina would be in order if offered as an amendment seeking to include a new title in the pending bill.

The Chair has analyzed the amendment offered by the gentleman from North Carolina solely on the question presented by the point of order made by the gentleman from Massachusetts as to whether the amendment offered by the gentleman from North Carolina is germane to the pending amendment offered by the gentleman from Virginia. The Chair invites attention to the fact that the amendment offered by the gentleman from Virginia relates only to the question of hours, days, or weeks of labor and compensation therefor. The amendment offered by the gentleman from North Carolina goes much further and is much broader than the scope of the amendment offered by the gentleman from Virginia.

The amendment offered by the gentleman from North Carolina, among other things, deals with strikes, walk-outs, lock-outs, and imposes penalties. The amendment offered by the gentleman from Virginia does not go nearly that far and does not undertake to impose penalties. The Chair is therefore of the opinion that the amendment offered by the gentleman from North Carolina is much broader than the amendment offered by the gentleman from Virginia and is not therefore germane.

The Chair sustains the point of order.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last several words.

Mr. Chairman, we have heard from nearly everybody on this subject except the soldier. I have a letter here which I had caused to be printed some time ago in the Appendix of the RECORD. This letter comes from a young man serving in the Philippines and was mailed from the Philippines on December 19. It arrived here not long ago, and if you will bear with me and give me your consent I shall be very happy to read it. It reads:

DECEMBER 19.

DEAR MOTHER AND DAD AND MY GOOD FRIEND THE CENSOR: This is to let you know that I am still alive and kicking and expect to be when I reach home. I'll probably slip and fall in the bathtub after I get there. But I'll be alive when I get back. I can't tell you anything because this is censored about three times. So I'll try to put down what I think won't be scratched out.

Stan sent a telegram to his mother, and I hope she called you because he said I was safe. I don't know whether Stan is alive or dead. I haven't seen him for 2 weeks. We who are with the planes have been separated from our regular outfit for about 2 weeks. We've practically been hiding from the enemy ever since the war started. We are so short-handed that each man is doing the work of 10. And you can't accomplish much when you expect a rain of death from above every time you hear the drone of an airplane.

I can tell you right now that, for the rest of my life, every time I hear a plane my insides are going to quiver from the thought of some of the smells and sights I've seen.

#### SLAUGHTERHOUSE OF DEMOCRACY

The Philippine Islands might appropriately be called the slaughterhouse of democracy.

I wish you would spread it around in that "arsenal of democracy" (so-called) that you're living in that we could use a little help over here. I went through two visits from our so-called little yellow friends, and let me tell you here and now I'll never eat chop suey again. I'm going to hear the scream of falling bombs for a long time. Tell Jonesy to tell all the gang who work at Lockheed that we boys who are crouching down here in the jungle when a slant eye comes over would appreciate it if they took a little interest in their work and worked a little faster. And you might use a few swear words when you tell them. I might tell you that the place where we were stationed is now nothing but blood and sand and a few smoking wrecks, but I won't, because the censor will probably cut it out.

#### LOSSES BELONGINGS

I'm glad to get out of there because it got kind of tiresome diving for trenches every few minutes and having to dig sand out of my ears for hours later. We have been isolated from all towns and villages, so I couldn't send a wire. All my belongings were lost back at



the field. I have one pair of shoes, socks, and coveralls to my name. Well, I must close now. Lord knows when I'll be able to write again. I love you both and I'll see you soon.  
JACK.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks. The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. CASEY of Massachusetts. Does the gentleman think the passage of this Smith amendment would expedite production at the Lockheed plant which was mentioned in the letter?

Mr. HINSHAW. I am not attempting, at this point, to discuss the Smith amendment. I merely offer this view of the ordinary soldier, who is doing the actual fighting and dying. I hope the Lockheed plant will continue as it is now, producing far in excess of its schedule. It is far ahead of its program, all of which would be good news to the writer of that letter if he could but hear it.

Mr. CASEY of Massachusetts. That is what it is doing at the present time without the Smith amendment?

Mr. HINSHAW. Yes. In fact, they are so far ahead of schedule that it has been found necessary temporarily for them to drop back to the 5-day week in order to give their subcontractors and material supply men time to catch up.

Mr. Chairman, as I read the Smith amendment, it does not affect any of the rights of collective bargaining, and, in fact, it has very little effect, if any, upon wage-and-hour agreements now in force. I doubt that it can have any force or effect upon any contract now existing between an employer and his employees. Consequently it can only affect the employment conditions of that great body of workers, unorganized, who have no contracts with their employers, and these workers are not employed to any great extent in defense industries. I believe the amendment is intended by its author to prevent the payment of time and one-half and double time to employees in defense industries when they work overtime or on Sundays or holidays, but these provisions exist in contracts or agreements between workers and employers in defense industries. I doubt that any law we could pass could abridge those contracts. If that be true, then this amendment merely opens up to exploitation that great body of workers not working under wage-and-hour contracts and not employed in defense industries.

Mr. Chairman, the ramifications and far-reaching effects of this amendment should be carefully studied by a committee of this House, and a carefully thought-out measure submitted before I care to vote on the questions involved. I shall, therefore, vote against this amendment, while recognizing that there are great questions here yet to be solved.

Mr. BULWINKLE rose.

The CHAIRMAN. For what purpose does the gentleman from North Carolina rise?

Mr. BULWINKLE. In opposition to the amendment.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 minutes.

Mr. BULWINKLE. Mr. Chairman, I rise at this time to ask the gentleman from Virginia, the author of the amendment, if he will give me the sections of the Communications Act of 1934 which his amendment attempts to repeal or suspend.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. SMITH of Virginia. I take exception to the gentleman's use of the word "repeal," because it does not repeal any provision of law; it merely suspends them during the emergency.

Mr. BULWINKLE. I said "or suspend."

Mr. SMITH of Virginia. The gentleman will find in the RECORD of day before yesterday a full and complete reference to all laws sought to be suspended.

Mr. BULWINKLE. I am asking the gentleman now if he can state to me that particular section?

Mr. SMITH of Virginia. If the gentleman will yield further, if he will read the provisions of H. R. 6616, which is this amendment, he will find exactly what is suspended. No law is suspended in toto.

Mr. BULWINKLE. I am asking the gentleman again if he can and will tell the Committee what portion of the act of July 21, 1932, which applies to the Reconstruction Finance Corporation is suspended?

Mr. SMITH of Virginia. And I reply again to the gentleman that if he will look at the extension of remarks which I put in the RECORD day before yesterday he will find that out.

Mr. BULWINKLE. May I inquire of the gentleman: Does he not know what he repeals?

Mr. SMITH of Virginia. If the gentleman is not going to allow me to answer his question, I cannot enlighten him.

Mr. BULWINKLE. I am asking the gentleman for information.

Mr. SMITH of Virginia. If the gentleman will permit me to answer, I will.

Mr. BULWINKLE. Answer. That is what I am trying to get.

Mr. SMITH of Virginia. I cannot answer if the gentleman persists in interrupting me.

Mr. BULWINKLE. Go ahead, sir.

Mr. SMITH of Virginia. I set forth in my extension of remarks the laws that are affected. Now, in a few minutes' time, if the gentleman has not had time to read it by then, I can answer his question further. I cannot offhand.

Mr. BULWINKLE. Cannot the gentleman tell me what part of the Communications Act it suspends?

Mr. SMITH of Virginia. If the gentleman will yield, it would not be necessary for me to tell him if the gentleman would read the amendment, which is this: It suspends that part of each one of those laws which prescribes maximum hours, days, or weeks of labor.

Mr. BULWINKLE. What are the section numbers?

Mr. SMITH of Virginia. Section numbers of what?

Mr. BULWINKLE. Of the laws that it suspends.

Mr. SMITH of Virginia. Every section that fixes hours and wages. (b) It suspends that part which requires compensation at a higher wage than usually paid by an employer.

Mr. BULWINKLE. What section is that, sir?

Mr. SMITH of Virginia. That is section (b) of the amendment, section No. 1.

Mr. BULWINKLE. Of the original Communications Act. That is what I am trying to get.

Mr. SMITH of Virginia. I do not know what it is, and it is not material what section number it is.

Mr. BULWINKLE. It is not?

Mr. SMITH of Virginia. No; of course it is not.

Mr. KEEFE. I can tell the gentleman.

Mr. BULWINKLE. Does not the gentleman think it is material to the membership that it should know what is to be repealed, what we are acting on?

Mr. SMITH of Virginia. I am certain I do not follow the gentleman. Will the gentleman yield further?

Mr. BULWINKLE. There is a gentleman over here who says he knows which section of the law it repeals. I would like for him to tell me.

Mr. KEEFE. It is perfectly obvious that any law or any sections of the Communications Act are only the sections that are touched in the particular specified in the Smith amendment. It seems to me that we ought to get down to some real argument in connection with this matter instead of being capricious and captious about it. Anyone who has read this law knows what is in it.

Mr. BULWINKLE. Has the gentleman read the original law to know what he is repealing?

Mr. KEEFE. I will tell the gentleman in a few minutes when I take the floor, and I will not take up a lot of foolish time, either.

Mr. BULWINKLE. I will give the gentleman time now if he will tell me.

Mr. HEALEY. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts.

Mr. HEALEY. Does the gentleman think it is good legislative practice to attempt to suspend or repeal a section of law without referring specifically to the section?

Mr. BULWINKLE. No; I do not; and that is the very reason why I speak before the Committee now, because, with 435 Members on the floor of the House, some information ought to be given. I listened to the speech of the gentleman from Virginia yesterday, and not one word was stated pointing out the particular sections in any act which it was attempted to repeal.

Mr. McCORMACK. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I call the attention of the gentleman from Wisconsin [Mr. KEEFE] to the fact that the gentleman from North Carolina [Mr. BULWINKLE] is one of the most honorable Members of the House and very sel-

dom bothers the House by taking up its time.

Mr. BULWINKLE. I thank the gentleman.

Mr. WHITTINGTON. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not true that if there is no provision of the Communications Act of 1934 respecting hours or respecting compensation that act will not in anywise be repealed by this amendment?

Mr. BULWINKLE. Well, then, it shows the absolute absurdity of the way we are trying to legislate now.

[Here the gavel fell.]

Mr. GWYNNE. Mr. Chairman, I offer a substitute amendment, which I have at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. GWYNNE as a substitute for the Smith amendment: Page 12, after line 11, insert a new title, as follows:

"TITLE IV—A

"The Judiciary Committee of the House is hereby directed to make an immediate study of all laws now regulating or relating to the hours, rate of pay, compensation, and other conditions of employment, both public and private, with a view to determining which of such laws actually impede or delay the production of munitions or implements of war, and to make such recommendations as may appear advisable to expedite the production of munitions and implements of war."

Mr. McLAUGHLIN. Mr. Chairman, it is with some reluctance that I rise to make a point of order against the substitute amendment offered by my distinguished colleague from Iowa [Mr. GWYNNE], for whom I entertain the highest respect; but in order to keep this debate within bounds and to keep the consideration on the subject matter of this bill I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from Iowa [Mr. GWYNNE] desire to be heard on the point of order?

Mr. GWYNNE. Mr. Chairman, in view of the ruling made by the Chair yesterday, this amendment which is offered as an amendment to the bill would, in view of the broad purposes of the bill, be germane, in my opinion. It is true that the question here is whether the substitute amendment is germane to the Smith amendment. But the Smith amendment deals with the suspension of certain laws. This deals with a survey of those same laws. I submit, Mr. Chairman, it is germane, and it is offered, of course, as a substitute.

Mr. SMITH of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Is there not another amendment pending to this amendment, the Monroney amendment?

The CHAIRMAN. There is an amendment to the amendment pending. This is offered as a substitute for the Smith amendment.

Mr. SMITH of Virginia. For the original amendment?

The CHAIRMAN. For the original Smith amendment.

Mr. CASE of South Dakota. Mr. Chairman, I merely wish to observe that as I heard the proposed substitute amendment read it deals with the same subject as the Smith amendment and does not expand the scope of the Smith amendment. It has modified rather than expanded it. If that is true, it is germane and the question of germaneness would rest upon the same grounds as the Chair held the Smith amendment germane yesterday.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from Iowa [Mr. GWYNNE] offers an amendment as a substitute for the pending amendment offered by the gentleman from Virginia [Mr. SMITH]. The gentleman from Nebraska [Mr. McLAUGHLIN] makes a point of order against the amendment offered by the gentleman from Iowa [Mr. GWYNNE] on the ground it is not germane to the pending amendment offered by the gentleman from Virginia [Mr. SMITH].

The Chair would invite attention to the distinction heretofore pointed out as to the question of germaneness to the pending bill and germaneness to the pending amendment. The Chair does not feel it necessary to comment further on this distinction.

The amendment offered by the gentleman from Virginia undertakes to enact certain substantive provisions of law. The amendment offered by the gentleman from Iowa provides for an investigation. Of course, the matter of ordering an investigation would be a proper subject matter to address to the House Committee on Rules.

The Chair invites attention to section 2911, volume 8, Cannon's Precedents of the House. Without taking time to read the decision in full, the Chair invites attention to the fact that there an amendment was offered to a pending revenue bill to provide for an investigation of certain questions relating to the subject of revenue. It was held that such an amendment was not in order.

The Chair feels that in view of that decision the amendment offered by the gentleman from Iowa is not germane to the pending amendment offered by the gentleman from Virginia and, therefore, sustains the point of order made by the gentleman from Nebraska.

The Chair recognizes the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Chairman, it is always a good thing whether in baseball or golf or in legislation to keep your eye on the ball. We have talked here about strikes, about MacArthur's men needing help, and about production, and these have no place in the Smith amendment. The Smith amendment does not seek to regulate anything with respect to labor. The Smith amendment does not seek increased production, and its purpose certainly would not be fulfilled if it did seek it. All the Smith amendment would do is to destroy certain wage standards, to cut wages.

Whose wages would be cut? Let me make this point that has not been made. Not the men who are members of the C. I. O., not the men who are members of

the A. F. of L., and not the men who are members of the brotherhoods, because they have existing contracts they have negotiated which guarantee them time and a half for overtime. Therefore, who would the amendment affect? It would affect those who toil and are not covered by existing union contracts, those who need our help, those who are not getting high wages.

Mr. Henderson testified before a committee recently that two-thirds of the income of that group was overtime pay. Therefore, you see the effect of an ill-advised, ill-conceived amendment like this. It would be to exploit the poorest class of wage earners.

Who would they be? There are some sections of the country where textile mills are located. There are some sections of the country where textile mills are wanted. The employers would have the advantage down there of not having to pay union rates with time and a half for overtime. Do you begin to see the light in this? This is not a war measure.

Take an employee who is working on a war contract; let us see how it would affect him. It does not concern the employer's profits, which are already fixed. He is going to get his profits, which are already fixed. But if you allow him to take away the time-and-a-half provisions which were considered when his profits were fixed, and not pay time and a half for overtime to his employees, he pockets that as extra profits. That is the result of this bill; he pockets that as extra profits. In other words, this means higher profits for the employer who is outside of union contracts, because he takes advantage of the wage cuts suffered by those who can ill afford them.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield to the gentleman from California.

Mr. LELAND M. FORD. In the case of highly trained and highly skilled men, there may be a million men, out of which perhaps only 100,000 would be qualified to work on airplanes. You cannot get additional men, yet you must have planes produced and munitions produced and guns produced. These men are the only ones trained and qualified to produce such articles. Does the gentleman, therefore, not think it reasonable to stretch the hours so that the production we need so badly can be increased? There is one spot where this amendment would be helpful.

Mr. CASEY of Massachusetts. I agree that is what we should do, but that is not one spot where this would be helpful, because the men who are skilled, the men who are making airplane parts, are members of craft unions and are already getting high wages and are guaranteed time and a half for work over 8 hours. This bill does not affect them one iota.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I have here a letter from the Department of Labor stating that a very large number of firms



are working 48, 50, even 60 hours per week now.

Mr. CASEY of Massachusetts. Of course, they are working 48, 50, and 60 hours, and this amendment will not increase the time the men will be employed one bit. This does not increase production, it does not have any regulations, it does not affect the men who have ever struck, it does not affect union men, and it does not affect men covered under union contracts now, but it does affect those in the lower strata of labor who are not covered by bargaining contracts.

[Here the gavel fell.]

Mr. CASEY of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. McLAUGHLIN. Mr. Chairman, I shall not object to this request by the gentleman from Massachusetts, but I am going to object to any further requests for additional time. It is now 2 o'clock on Friday afternoon. We have debated this section at considerable length. There has been no effort to stifle debate. However, it is hoped that this bill may be acted upon before the close of today's session. Of course, time is running on and we will have to regulate the time of the membership because we still have 12 more titles of this bill to pass upon. So I now serve notice that, so far as I am concerned, I shall object to additional requests for extensions of the 5 minutes.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, may I ask the gentleman in charge of the bill, what about later on in the afternoon? There are some of us who have been waiting since yesterday noon to talk on this subject. Are you going to ask, after a while, for a restriction on the debate so as to shut us out?

Mr. McLAUGHLIN. It is hoped, I may say to the gentleman, that we may be able to arrive at an understanding or an agreement as to the time to be consumed on this title.

Mr. HOFFMAN. This looks like pay and a half or time and a half for the gentleman who is talking.

Mr. CASEY of Massachusetts. Of course, I am in favor of that.

Mr. RICH. Mr. Chairman, reserving the right to object, if the gentleman who is in charge of the bill is going to refuse any further requests for additional time, why does not the gentleman start in now to do it? I like to hear the gentleman from Massachusetts speak. I love him, and I think he is a fine fellow, but we do not want to give preference to anybody. I think we ought to clear the floor now and observe the 5-minute rule.

Mr. RANDOLPH. Mr. Chairman, reserving the right to object, I am sure the gentleman and the committee in charge of this debate are going to be fair to the individual Members, no matter on which side they may sit, and I do feel that this is a matter of extreme importance and that the House could well afford to continue in session today and tomorrow, if necessary, to bring it to a conclusion.

The CHAIRMAN. Is there objection to the request of the gentleman from

Massachusetts [Mr. CASEY] to proceed for 5 additional minutes?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Chairman, I want to address my remarks to some of the Members from the agricultural districts. I heard my beloved friend the gentleman from Kansas [Mr. HOPE] speak in favor of the Smith amendment. I am sure, if he had considered it in all of its implications, he would not have taken that stand, and that is why I am trying to reason this out with all the logic I possess, and after giving the matter some study.

Next week there will come before this body the Bankhead Act, which has for its purpose the freezing of staple commodities like wheat and forbidding the Government to sell at below the parity price. Now, I represent a few dairy farmers. Those who represent the rural sections will undoubtedly support such legislation, and then, of course, my dairy farmers will have to pay more for the feed for their cows. They will have to transmit an increase of 2 or 3 cents a quart for milk to the consumers and to those who labor. The same thing applies to the men who raise hogs. The cost of their feed rises and the prices of hogs and of meat go up correspondingly. The same thing is true of wheat that goes into bread. This causes the price of the food of the poor to go up. I am not discussing the merits of such legislation now, but I am showing you the illogical and inconsistent position in which some of you will find yourselves. Next week some gentlemen representing agricultural districts will support a bill that will inevitably mean higher living costs, and today they are supporting a bill that cuts the income of those who will have to buy the things coming from the agricultural districts. I do not see how anyone can consistently maintain both positions.

Another objection that has been raised here is that a soldier gets only \$21 a month. Now let us examine that argument. You cannot buy patriotism. You cannot put a price upon the worth of a man who is willing to go out and place his life upon the altar of his country and make the supreme sacrifice. You cannot put that in dollars and cents. We do make it obligatory by selective service, and we do allow it to be voluntary; but if you take that \$21 standard and if you apply it to labor, and you say, "Labor, you have got to do this just as the soldiers have to do it," then you might as well go into civilian life and go into the shops and the mines and the mills and the factories and cut their pay and fix their hours of employment by legislative fiat. Do this, and you make them serfs of a totalitarian government. Then you must go all the way and have your socialized state or your totalitarian government. Take over your capital and your management and everything else concerned, and then you have a socialized state, if you want to go that way. But do not just take labor alone as an example and always say, "Look what the soldiers are doing for \$21 a month." After all, labor knows what the soldiers are

doing for \$21 a month. Labor is a numerous group in this country. The sons and brothers of those who work are soldiers, and they know and appreciate their problems.

Now, in closing, I want to tell you there is only one thing to keep our eyes on now, and that is this: The front line of this war is in the shops; it is in the factories; it is in the mills. We can lose it or we can win it there. This war will require billions of dollars' worth of raw materials, it will require billions of dollars in money; but it will also require the work of millions of hands and the work of millions of brains. We want to be unified. We do not want to be disturbed by sniping at any particular group. This is an attempt to undermine wage standards that have been established for 30 years and that have been won through hard work, through agitation, through public sentiment favoring them. It will be undermining through the back door, under the guise of "we are in a crisis," the very people whose loyalty we depend on now. We can lose this war if we slow up our factories or waste our ammunition by sniping at one another. If labor is forced to consume its time and energy trying to protect its very existence, it will not be free to devote all of its talents to the No. 1 job of production. American labor, American farmers, and American capital are an unbeatable combination. Let us stop sniping. Let us all work together.

[Here the gavel fell.]

Mr. KEEFE. Mr. Chairman, I move to strike out the last word. I am delighted that the gentleman from Massachusetts [Mr. CASEY] has brought this argument out of the realm of hysteria and prejudice and has discussed this bill through the eyes of common sense and reason. I was amazed yesterday to hear the remarks of the distinguished gentlewoman from New Jersey, the distinguished gentleman from Chicago [Mr. McKEOUGH], and the distinguished gentleman from Massachusetts, Judge HEALEY, who indicated to this House that if the Smith amendment were adopted, labor would lose at one full swoop all of the rights that it had taken 50 years to develop.

Mr. HEALEY rose.

Mr. KEEFE. I cannot yield. The RECORD speaks for itself.

Mr. HEALEY. But the gentleman has mentioned my name.

Mr. KEEFE. The RECORD speaks for itself. As the gentleman from Massachusetts [Mr. CASEY] has so very distinctly stated, there is not a thing in this Smith bill that takes away from labor the rights that it has taken 50 years to achieve. Anyone who has read the amendment must be convinced of the fact that the only thing the Smith amendment will do will be to simply suspend the provisions in existing laws insofar as they provide for maximum hours and increased compensation for overtime work. That is all this amendment does. I call attention to the fact that the Walsh-Healey Act applies to every Government contract involving an expenditure of over \$10,000. The gentleman from Massachusetts [Mr. HEALEY] par-

ticipated in the drafting of that act. If it is production that we are looking for, if production is going to win this war, and if all of the factories and businesses of the Nation must be involved in war-time production, it follows as a matter, of course, that all business in this country will ultimately be subjected to the provisions of the Walsh-Healey Act. We must, therefore, consider this matter in the light of the provisions of that act, which is now on the statute books. It requires the writing into every Government contract of a provision inflexibly limiting the hours of labor to 40 hours per week, and providing for an 8-hour day.

Mr. HEALEY rose.

Mr. KEEFE. I cannot yield.

Mr. HEALEY. I want to enlighten the gentleman.

Mr. KEEFE. I am thoroughly familiar with the law and nothing that the gentleman would say would enlighten me when I have the law right before me.

Mr. HEALEY. Read the law.

Mr. KEEFE. Mr. Chairman, may I be protected against these intrusions?

The Walsh-Healey Act in paragraph (c) of section 1 provides:

No person employed by the contractor or in the manufacturing or furnishing of materials, supplies, articles, or equipment used in the performance of the contract shall be permitted to work in excess of 8 hours in any 1 day, or in excess of 40 hours in any 1 week.

That is an inflexible provision that must be put in every contract where the amount involved is \$10,000 or over, and the only exception there is to it is found in section 6 of the law which gives to the Secretary of Labor under existing law the right, when the contracting agency and the contractor agree upon the necessity for it, to modify the terms of the law. I read from section 6:

Upon the joint recommendation of the contracting agency and the contractor, the Secretary of Labor may modify the terms of an existing contract respecting minimum rates of pay and maximum hours.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask for 5 additional minutes.

The CHAIRMAN. Is there objection?

Mr. SUMNERS of Texas. Mr. Chairman, I reserve the right to object.

Mr. KEEFE. I would like to finish this argument. I think it is very interesting to the Members of the House, and it has not been touched upon so far.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I reserve the right to object.

Mr. SUMNERS of Texas. Mr. Chairman, I am reserving the right to object, and the only reason I do so regretfully is because of the tremendous number of gentlemen who want to speak on this amendment, and if we allow extra time, I do not see how we can get through.

Mr. KEEFE. May I ask the gentleman from Texas to bear with me? This is a matter that has never been raised on the floor of this House by any Member who has spoken so far and I think the membership of the House is greatly interested in it, and I would like to be able to finish the statement. I want to state the rea-

sons why I am opposed to this amendment and why I shall vote against it. I think they will be based upon sound, legal grounds and not upon the basis of prejudice or hysteria.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, reserving the right to object, and I do not wish to, but as one who has been trying to get recognition for 2 days, and noting that not a Member from the State of Pennsylvania on this side of the House, where we have enormous industries, has had time, I would like to know whether the distinguished chairman of the committee will attempt to shut off debate if the gentleman from Wisconsin is allowed an additional 5 minutes later?

Mr. SUMNERS of Texas. Now, let us see where we are getting. I think we are getting more enthusiastic about this all the time.

I ask unanimous consent that all debate on this section and all amendments thereto close in 1 hour.

Mr. HOFFMAN. Mr. Chairman, I object. I have been waiting here for 2 days.

Mr. SUMNERS of Texas. How long will it take the gentleman from Wisconsin to conclude his statement?

Mr. KEEFE. Five minutes. I will try to finish before that.

Mr. BRADLEY of Pennsylvania. May I ask the gentleman if he would then attempt to move to close debate?

Mr. SUMNERS of Texas. Well, the gentleman was not protected during the first 5 minutes. Go ahead and take your 5 minutes.

Mr. HEALEY. Reserving the right to object, Mr. Chairman, and I will not object, of course, but I want to be fair with the gentleman and I know he wants to be fair with me. I request that the gentleman read the whole of section 6, which will not require over a minute and a half if he is not interrupted. The gentleman reads very fast and I think he can read it in a minute and a half. I ask that as a condition. I ask that the gentleman do that. I will withdraw the condition, but I ask that he read the whole text rather than part of it.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, to ask a question: When the chairman of the committee was absent, the gentleman from Nebraska, who is in charge of this bill, when another Member asked for an additional 5 minutes, was asked whether or not those of us who have been waiting since yesterday noon to get an opportunity to speak would be given that opportunity. Now, if you go and cut us out in an hour or two there are a number of us who will not have a chance to speak at all. I do not think that is fair.

Mr. SUMNERS of Texas. The gentleman has not had an opportunity to speak on the bill?

Mr. HOFFMAN. No; and I have been on my feet almost all of the time.

Mr. RAYBURN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order has been demanded. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE] that he be allowed to proceed for 5 additional minutes?

Mr. SUMNERS of Texas. There seems to be some juggling around here and everybody wants to speak. I do not object, but I will not object if anybody else objects.

The CHAIRMAN. Is there objection? There was no objection.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 5 additional minutes.

Mr. KEEFE. Mr. Chairman, when I was cut off a few moments ago I was reading section 6 of the Walsh-Healey Act in order to demonstrate that under existing law the power exists in the Government, represented by the Secretary of Labor, to deal with this specific problem in most of its aspects. Let me read the provision of section 6, specifically applicable:

Upon the joint recommendation of the contracting agency and the contractor the Secretary of Labor may modify the terms of an existing contract respecting minimum rates of pay and maximum hours of labor, as he may find necessary and proper in the public interest, or to prevent injustice or undue hardship. The Secretary of Labor may provide reasonable limitations and may make rules and regulations allowing reasonable variance, tolerance, and exemptions to and from any or all provisions of this act respecting minimum rates of pay and maximum hours of labor, or the extent of the application of this act to contractors as hereinbefore described. When the Secretary of Labor shall permit an increase in the maximum hours of labor stipulated in a contract he shall set a rate of pay for any overtime, which rate shall not be less than one and one-half times the basic hourly rate received by the employees affected.

I want to call that to your attention for the reason that the law as presently written places in the hands of the Government the power to deal with this question of overtime. The only thing that is lacking is the authority to restrict overtime pay. So far as I am personally concerned, I want to say that until this Congress shall, by legislation, recapture from those corporations which, by their own financial statements and admissions before congressional committees, are making huge and tremendous profits out of this war effort, I am not going to begin to economize by taking time and a half away from their employees. That is my personal feeling in this matter.

What is the fundamental thing we are seeking to achieve? We are seeking to achieve production and to stop strikes that interfere with production. I ask the gentlemen who have made these arguments on the floor of the House where there is anything in this amendment that will stop strikes? There is not a thing in this amendment that does away with labor's right of collective bargaining or any of the other rights provided under the National Labor Relations Act. All labor working in mass defense industries, as the gentleman from Massachusetts pointed out, have their rights provided for as a result of collective-bargaining contracts. That is all there is to it. Pass this amendment and what happens? Nothing. The union goes to the management and says, "Here is what I want; 8 hours a day and time and a half for



overtime, and double time for Sundays and holidays." Management either agrees to the proposal or a strike occurs. There is nothing in this amendment that in the remotest way curtails labor's right to strike. It in no way repeals or suspends any of the rights of collective bargaining. Thus the evil that the proponents of this bill complain of are not dealt with at all. This amendment would not hurt organized workers but it would open the door to long hours without overtime compensation to those industries in the South and in some of the sweat shops and lofts of the North, where the workers are unorganized. The poorest paid group of workers in the country would be hurt. The workers in all of the great defense industries are unionized. They control their hours and wages through collective bargaining agreements without reference to the standards of the wage-hour law.

Mr. Chairman, careful study of this amendment convinces me that it is ill-advised.

Until the Congress is ready to deal effectively with this problem in an affirmative manner it seems to me we are doing nothing but muddying the waters in attempting to pass this amendment at this time. We are doing nothing that will clear up labor disputes and as a result we will not achieve increased production.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. CASEY of Massachusetts. The gentleman has very well stated the case. In addition to doing nothing to stimulate the flow of production, the passage of this Smith amendment will throw into the field of bargaining between employer and employee the question of time and a half. What a field of contention and strikes that will be.

Mr. KEEFE. Exactly. Now let me say this also to the Members of this body: We are going to have to deal with this problem. We are not going to just shift the responsibility. The public of the United States are demanding that we deal with this problem. Merely to offer this amendment and send out word to the public that the adoption of this amendment deals with the problem is to me demonstrating the impotence of Congress. We must deal with this problem effectively and encourage the patriotic workers to drive from their midst the racketeers and alien leaders who would slow up or destroy our productive effort.

Remember labor must do this job. Generally it is responding to the country's call. The rank and file of labor want to get rid of the racketeers in their midst. Let us help them do it. I am sure that with the support of the people and the Congress the rank and file of labor itself will carry on the fight to stop any effort that slows up production.

[Here the gavel fell.]

Mr. SUMNERS of Texas. Mr. Chairman, we have taken a lot of time on this amendment. I would like to see if we cannot determine upon time for debate. I would like to know how many gentlemen wish to be heard.

The CHAIRMAN. If the gentleman will indulge the Chair, when the first effort was made to limit debate 16 Members

sought recognition. The second time the effort was made 24 Members sought recognition. The third time the effort was made 32 desired to be recognized. The number has increased every time the effort has been made.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 1 hour and 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HOFFMAN. Mr. Chairman, I object.

Mr. SUMNERS of Texas. Mr. Chairman, I move that debate on this amendment and all amendments thereto close in 1½ hours.

The CHAIRMAN. The question is on the motion of the gentleman from Texas. The motion was agreed to.

The CHAIRMAN. The Chair requests that very careful attention be given to the reading of the list of names of those who were standing, and the Chair assumes they were seeking recognition. After the list has been read the Chair will inquire as to whether anybody seeking recognition has been omitted. The Chair has recorded the names of the following gentlemen: Messrs. WRIGHT, MARCANTONIO, HOFFMAN, COFFEE of Washington, VOORHIS of California, CASE of South Dakota, WHITTINGTON, DONDERO, REED of New York, JENSEN, WEISS, BRADLEY of Pennsylvania, WASIELLEWSKI, DOWNS, FOGARTY, COFFEE of Nebraska, SACKS, ELIOT of Massachusetts, HARE, McGRANERY, THOM, KERR, MASON, CRAWFORD, MURDOCK, JOHNSON of West Virginia, SUMNERS of Texas, BUTLER, ROBSON of Kentucky, and CLASON.

The Chair now inquires whether the name of any Member seeking recognition on this amendment and who was standing has been omitted.

Mr. GIBSON. Mr. Chairman, I desire to be heard on the amendment.

The CHAIRMAN. The gentleman's name will be added to the list.

Mr. WHITE. Mr. Chairman, I was on my feet seeking recognition.

The CHAIRMAN. The name of the gentleman from Idaho [Mr. WHITE] will be added.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I respectfully request that the Chair take my name from the list. The time to be allotted to each Member will not be sufficient for any data to be presented.

The CHAIRMAN. The gentleman's name will be taken off the list.

Does any other gentleman desire his name to be taken from the list? [After a pause.] The Chair hears no response.

Mr. SUMNERS of Texas. Mr. Chairman, the gentleman from Nebraska [Mr. McLAUGHLIN] is momentarily absent. I do not know whether he desires recognition on this amendment, but I would like a place reserved for him, if possible.

The CHAIRMAN. The name of the gentleman from Nebraska [Mr. McLAUGHLIN] will be added to the list.

Mr. HARE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HARE. May I inquire of the Chair whether the Members will be recognized in the order in which the names have been listed?

The CHAIRMAN. As a matter of convenience, the Chair will announce that the Chair will recognize Members in that order.

Mr. CASEY of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CASEY of Massachusetts. Will those Members who spoke on this amendment yesterday be eligible to speak on it again today?

The CHAIRMAN. There has certainly been no limitation of that nature fixed by the Committee of the Whole.

Mr. CASE of South Dakota. Mr. Chairman, if a gentleman has already spoken on the pending amendment, he would not be entitled to recognition, would he?

The CHAIRMAN. The Chair did not understand the gentleman.

Mr. CASE of South Dakota. If the gentleman has spoken on the pending amendment, he would not be entitled to recognition in precedence over a Member who had not spoken, if objection is made?

The CHAIRMAN. The Chair has no way of knowing what a Member is going to say when he gets up. The Chair does not know whether he is going to make the same speech all over again or not.

Mr. MURDOCK. Mr. Chairman, did the vote taken a moment ago preclude substitutes for the pending amendment?

The CHAIRMAN. It does not preclude the offering of substitutes. It only fixed time on debate on the pending amendment and all amendments thereto.

Mr. MURDOCK. It does not preclude the offering of a substitute amendment?

The CHAIRMAN. The motion did not preclude that.

Mr. SMITH of Virginia. Mr. Chairman, I was on my feet when a notation was made of the Members who desired to speak.

The CHAIRMAN. The gentleman's name does not appear on the list. Does he desire to be recorded as seeking recognition on the pending amendment?

Mr. SMITH of Virginia. Yes.

The CHAIRMAN. There are 34 names on the list. This will mean 2½ minutes for each Member. The gentleman from Pennsylvania [Mr. WRIGHT] is recognized.

Mr. WRIGHT. Mr. Chairman, I have noticed recently that most of our labor legislation has obtained its principal support from the agricultural sections. Those gentlemen who wish to legislate on the problems of the workers in mills and factories in the main have no mills or factories in their districts. I wonder if a more intimate knowledge of industrial relations, of their history and background, and of their more recent trends, would not move some of the gentlemen from their present position. Such a knowledge cannot be obtained entirely from the press or even from testimony adduced before a legislative committee. It is almost necessary to live among these prob-

lems, to discuss them with the workers, with their chosen representatives, and with representatives of their employers. I think the gentlemen would find that these problems are not as simple of solution as they would like to think.

I come, as you know, from the very center of the heavy-steel industry. The mills and mines and factories of the Pittsburgh district are already operating at such a peak capacity that the Government has found it necessary to order the construction of vast new plants so that war production may be again and again increased. Work stoppages by reason of labor disputes have been insignificant in our mills. This has been recognized by the Navy, which has awarded the outstanding performance of both management and workers by conferring upon several of our mills the Navy "E," and another such award will shortly be made to a shipbuilding concern in this area, the Dravo Corporation.

The workers are a hardy, self-respecting lot. They have won literally by hunger and bloodshed over a period of generations certain fundamental economic rights, without which to them political rights are an empty shell. Important among these are the right of collective bargaining and the right to a basic 8-hour day. These guaranties are the workers' only protection against a recurrence of the old industrial peonage from which they have emerged. To them these benefits are a fundamental part of that free America in which they live and for which they would gladly die. They are jealous of these rights and will resent any effort to destroy them. They are suspicious of the motives underlying the constant sniping to which these rights have been subjected. They feel that such efforts are prompted not so much by patriotism as by a reactionary antilabor philosophy which uses the war as a pretext to first temporarily and at last permanently turn back the calendar to the dark ages of American industry.

Certainly we are at war, certainly our first thought must be the winning of the war, certainly we must be prepared to sacrifice our privileges—even, if need be, our lives—to preserve our country.

All of us plan first the winning of the war. We differ in our choice of methods. One method is the conscription of labor by legislative and executive controls. That is Hitler's method. I hope to God we never have to resort to it. If our position becomes desperate we may have to tell our men and women where they shall work and for what hours and for what wages. The Government may have to conscript industry and operate the mills and factories without profit to the owner. But the workers will then under patriotic leadership voluntarily submit themselves to the orders of their Government, in the same manner as they have now voluntarily agreed that they will not strike regardless of provocation.

But we have not yet arrived at that last-ditch stand. Our plants are being operated by their owners under contracts made with the Government and I have never heard it suggested that they are operating at a loss.

Whether or not this amendment be passed our workers will not confine them-

selves to a day of 8 hours. What this amendment will do is to unfairly discriminate against them when their employers are left untouched. For Congress, without any hearings, with no show of necessity to pass this ill-considered amendment in the heat of debate, would, I am confident, profoundly disrupt both morale and production.

There is another method to win this war—the democratic method of voluntary cooperation. Let us not abandon democracy in our effort to preserve it. Let us not be deceived that despotism is more efficient than liberty. Admittedly it has taken us precious time to get under way. Admittedly the division of sentiment throughout the country has delayed our war effort but we are at last united and geared for production. This delay has not been all loss. We have gained something precious and of the spirit. We have finally as a people arrived at the firm and unalterable conviction that this war is not the President's war, not the Army's war, but the personal war of every American. We will each of us fight it according to our station and to our best ability to the final extinction of the enemy who would enslave us. Let us not destroy that spirit in the American people.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, it is very significant that the pending amendment is offered and supported by those who opposed labor-protecting legislation in peacetimes. They sought to defeat such legislation then, and now use the war as a pretext to perpetuate the exploitation of labor.

The argument has been made that production is restricted to a 40-hour week. This argument is dishonest. You must know that there is nothing under existing law which prevents workers from working for more than 40 hours a week. All that is required is payment of time and a half, which helps insure a living wage, particularly at a time when the cost of living is going up to extraordinarily high levels. Hence, this legislation is advanced for only one purpose, and that is to destroy the protection we have given labor against exploitation and at the same time to increase the profits of those who are becoming enriched as a result of this war situation.

We are not fighting a mere war, we are engaged in an international civil war, we are fighting an anti-Fascist war, and in order to win this war we need the support of the masses, of the workers, of the people not only of the United States, but of Britain, India, China, Russia, and of various other parts of the world. If we adopt the Smith amendment we shall raise doubts in the minds of the people of the world as to the character of the war we are waging, because we will be adopting toward labor the same attitude that Fascist countries adopted toward labor. On the other hand, a defeat of this amendment will be an assurance to the masses of the people throughout the world that we are conducting a war against fascism, that it is an anti-Fascist struggle, and that we refuse to impose upon American labor the bondages

of fascism which we are seeking to overthrow by force of arms and production. This amendment is not only antilabor, it is contrary to the best interest of the war effort, it establishes in America the doctrine of vicious Vichyism, a Fascist doctrine that led to the conquest of France. This is a peoples' war and the people will not permit the exploitation of American labor.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized for two and a half minutes.

Mr. HOFFMAN. Mr. Chairman, without bitterness, unreasonableness, or personal animosity, come, let us reason together.

Whenever legislation of this kind is brought before the House it is met by a certain well-defined group with at least three arguments:

First. It is charged with being sponsored by antilabor, labor-baiting Members and interests.

Second. That the occasion on which it is offered and the manner of procedure is neither the proper time nor method, and that, while its objective may possibly be good, some other occasion, some other way, should be found.

Third. It is always contended that the result of the legislation will deprive the American worker of some fundamental right.

First. The charge yesterday so vehemently made that these amendments were introduced and sponsored by labor-baiting, antilabor Congressmen rests upon the false assumption that only self-appointed spokesmen who oppose legislation of this type are friends of labor.

There is no more truth in that charge than there would be in the charge which I might make that the gentlemen from Massachusetts, Mr. McCORMACK and Mr. HEALEY, the Member from New Jersey, Mrs. NORTON, the gentleman from New York, Mr. CELLER, are each and all the spokesmen for, the mouthpieces of, union gangsters and politicians.

That charge, neither directly nor indirectly, by innuendo or by insinuation, do I make. There is no foundation for such a charge. Nor is there any more reason for the charge which some Members make that I and others whose philosophy I follow are antilabor.

It is undoubtedly true that legislation of this type is abhorrent to labor politicians, to labor gangsters, and racketeers, to all those who use the name and the cause of labor as a false front behind which they carry on their own unfair, unlawful practices to further their own personal ends. So much for that.

Second. Now, having reached the common ground where we all accord to every Member of this body that sincerity and right thinking which we all must possess and exercise if we are to be true representatives of our people, let us turn to the argument that the procedure here today is unusual.

The procedure is not that heretofore customarily followed by the House of sending bills concerning certain topics to certain committees organized to consider them.

It is, however, the procedure frequently followed in the other body. Moreover,



this bill is a most unusual bill. It is an omnibus wartime bill, and, as the Chairman of the Committee of the Whole so appropriately stated yesterday, the title and the provisions which it is sought to add to the bill by these amendments are as germane to the title of the bill as are any of the titles and provisions originally contained in it.

In one fell swoop, this bill takes from many of our citizens constitutional guarantees of protection heretofore enjoyed by them. It will pass this House only because of the great danger in which we find ourselves and because we all realize that there should and must be a central control of our war activities; that, in wartime, the rights of the citizen must be submerged for the preservation of the Union.

One Member, announcing his intention of voting for the bill, evidently realizing what he was doing, the rights of his constituents which he was voting to surrender, evidently from the depths of his heart said:

I hope and I believe that an all-wise Creator will forgive me for supporting much of the legislation passing the Congress in recent weeks.

Third. The charge made by the Member from New Jersey [Mrs. NORTON] that the adoption of these amendments would enslave the worker; the charge made by others that the amendments were a direct challenge to the patriotism of the American worker, are utterly without foundation.

As has been pointed out, these amendments do not repeal any law. They merely suspend for the duration certain special privileges which have been granted to a group or class of our population.

These amendments, if adopted, would not prevent the payment of a wage and a half for overtime nor of double wages for Sunday and holiday work. Now do not forget that fact.

As the law stands today, no man can work overtime unless he is paid added compensation. If he works in defense of his country more than a certain number of hours, it is a criminal offense if he be not paid, even though he does not ask, at a wage and a half for the overtime.

As the law stands today, a patriotic American worker cannot, in his usual employment, give in the service of his country one single hour's time without rendering his employer guilty of a criminal offense.

These amendments do not take away the right of the employee and the employer to bargain collectively for the payment of wages and a half for overtime; of double wages for Sunday and holiday work. They merely make it permissible for the patriotic worker to put in more than the specified number of hours in defense of his country, in support of the fighting men, without being compelled to receive, or his employer to pay, a premium for that sort of patriotic service. The amendments will not abrogate one single collective-bargaining contract now in force.

The amendments will free the American worker from the limitation now placed upon his patriotic service. In my

humble judgment, these amendments would, if presented to labor organizations, receive the overwhelming support of the rank and file; the opposition of only the labor politicians, gangsters, and racketeers.

Any other conclusion, any other result, would be an indication that the organized American workingman asserts his patriotism with a reservation, a string attached to his declaration of loyalty; that he will work in defense of his country but a certain number of hours; and, if more than the prescribed number, only if he receives additional compensation.

With that conclusion, I cannot agree. My argument is that those who assert that the average American worker is now insisting in this time of danger to his country that he be paid a wage and a half or a double wage for necessary service are completely mistaken; that they unwittingly make the gravest and unfounded challenge to the patriotism—to the loyalty—of a large group of our citizens.

You cannot make me believe that the American worker—a loyal union member, who has a son in the Army, Navy, or Air Corps—will not work to supply that boy with the things he needs unless he is paid a premium for the extra hours. Gladly and willingly will that American workingman—yes; and his wife and the other members of his family—work throughout the day and far into the night in support of the absent one.

Something was said yesterday in the debate about the demand of the farmers for special treatment. Do not be too harsh on the farmers. They are no more greedy—no more selfish—than the rest of us.

For several years now the bureaucrats, emulating Satan of old, have taken our farmers up into the high places and have shown them the promised land of soil-conservation payments, of parity legislation, of special payments for this, that, and the other.

Some farmers, knowing full well that other individuals—other groups—have received special consideration from the Federal Government, being human, feeling the pinch of poverty, swayed perhaps by what they consider rank injustice, have not turned their backs completely upon the temptation offered by these Federal gratuities, and have been getting theirs while the getting was good.

Another group—organized labor—there being a surplus of devils in this country—has also been taken up to the mountaintops by certain labor politicians and organizers, and tempted with the promise of an ever-increasing wage, an ever-lessening workday, has momentarily yielded to the temptation, as Congressmen yielded not so long ago to the lure of a retirement fund.

Come hell and high water, fair weather or foul, each and all of us have our moments of weakness. Today, in our hour of danger, not for one moment do I believe that organized labor, as distinguished from some of its leaders, will condemn us for the adoption of these amendments.

Unless we take some measure to remedy the situation which now confronts us

and which is intolerable, with which we are all familiar, the rising tide of public indignation, which manifested its power more than a year ago when this House adopted, by a vote of 2 to 1, the Smith amendments to the Wagner Act, will overwhelm this Congress and sweep on to wipe out labor's gains of the last 50 years.

Just a few days ago this House, driven by the lash of public opinion, with complete loss of dignity, ran like a bunch of boys routed from a melon patch to the bomb shelter of repeal of the so-called Pensions for Congressmen Act.

Let us profit by the lesson we then learned and follow now the reasonable demand of our constituents—of the workingmen of America themselves—that we free them from the shackles which hinder them in rendering full patriotic service to their country in this, her hour of danger.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE of Washington. Mr. Chairman, in my conception, the Smith amendment will eventuate in the same sorry spectacle as was the affliction of France if allowed to become law and unchanged, and if related bills to eviscerate labor are considered and adopted. France has often been cited as the horrible example which we should shun.

What happened in France? In January and February of 1939, 8 months before her participation in World War No. 2, France embarked upon a program remarkably similar to that foreshadowed by the Smith amendment, all component parts of the fabric of fascism. The new French leaders clamped down on organized labor; they extended the hours of work; they cut out overtime pay; they threw the liberals out of the French Chamber of Deputies; they established a dictatorship; they put Daladier in in March 1939. Six months later the World War began, and 10 months later France fell, a monument to the stupidity and the lack of foresight of her totalitarian ministers. Why? Because they destroyed the spirit and the enthusiasm of organized labor, which provided the temper and was interwoven into the fiber and the soul of France. They killed that soul by making labor think it was suspect, that in their minds their parliamentarians, purged of labor's spokesmen, did not believe the French worker to be patriotic.

Are we going to ignore the lesson France has taught us? Do we want to give to the worker of the United States the feeling that in the minds of the men in Congress labor is not patriotic?

Mr. Chairman, we have had letters cited on this floor purporting to come from boys who are in service in Bataan, in the Philippines. It has been made to appear that the men in the armed services of the United States came from some families, forsooth, who must have been living in an ivory tower, separate from the organized workers of the United States. Who supplies the men in the armed services of our Nation? Whence do these boys, these young men, come? They come from the families of workers,

organized and unorganized, whether they are in the factory, the foundry, or the farm; but we have had men get on this floor who have the temerity to fulminate and asseverate to their colleagues in this House that the men in the armed services of the United States must come from an entirely separate and distinct group.

Are we in the House of Representatives going to penalize labor? I hope to God we are not, because I believe in the future improved social-economic order of this, our beloved United States, in which labor will indispensably participate, and which will embrace as a necessary ingredient the four freedoms and ideals which we hold out to the distressed races of the world.

Why should we single out the forces of labor as suspect? Do we want the country to appear to point the finger of suspicion at those who toil? The effect of the Smith amendment is not to strangle the men and women identified with organized groups, but, rather, to require bank clerks, office accountants, and white-collar workers generally, who have no unions, particularly in certain areas, to fight the battle in their behalf. These workers have no signed contracts with their employers assuring them fair wages, overtime pay, and reasonable hours.

Labor has all along exhibited an inspiring desire to make sacrifices corresponding with all other segments of our population. But it naturally feels that a genuine price-control bill, with teeth in it, should be on the statute books, and that the profits of war industry should be drastically limited.

There is no provision in this bill for a recapture by the Federal Government of the funds saved by not paying overtime wages for work performed above and beyond the 8-hour day and on Sundays and holidays. There is no refund for extra added profits by reason of these economies. Why should we punish labor and contemporaneously augment the profits of war industries? Is this a scheme for circumventing the wage-and-hour bill? There is a law of diminishing returns. If men are worked for too long days and for too protracted periods, their efficiency is impaired and their unit-per-hour production is reduced.

Do we propose now to turn the clock back for 50 years? Shall we, at one stroke, abrogate labor's legislative gains following decades of bitter struggle? The sponsors and chief supporters of this amendment are the most persistent opponents of labor legislation in Congress. Is it not, therefore, ironical for them to seize upon our involvement in war as the pretext for adopting some of the schemes of fascism?

The President of the United States is our Commander in Chief. He vigorously opposes the Smith amendment. He is charged with responsibility for directing our war activities and is in a position to make the appropriate recommendations as to those measures best designed to facilitate and expedite war production.

In this war Great Britain and Canada have not seen fit yet to adopt such legislation as is here promulgated.

Yet, Great Britain has had the courage to impose a 100-percent tax upon

wartime profits of industries directly or indirectly engaged in war production. In the last war Woodrow Wilson inaugurated the 8-hour day and became the leading exponent of legislation and contracts providing for overtime pay and reduction of hours.

The zeal and enthusiasm of labor must be stimulated. One cannot legislate into the heart and the soul of the toiler, patriotism. It is indefinable and intangible. It is that quality which somehow partakes of the spiritual. It is either there or it is not there. The Soviet Union has it in abundance. France lacked it, following the crack down upon liberalism and upon the toiler. The Japs and the Nazis, though we may not like to admit it, have shown that fervor and esprit de corps which makes them willing to endure any hardship in battle. The United States has that spirit in abundance. But we are a nation confused. We are a people afflicted with frustrations, confusions, and prone to look for scapegoats upon whom to visit our anger.

This Nation is made up of the families of millions of toilers. The Army and the Navy are drawn from their ranks in a large part. We cannot pay for this war by greatly adding to the tax burden while limiting the wages and reducing them with respect to the men and women of brain and brawn who produce the articles of war. Judging from the debate on the Smith amendment one would assume that all the soldiers and sailors were spending their time cursing and cussing the skilled mechanic at home who provides the artillery, ammunition, tanks and planes with which the man in the armed services carries on the war against our common foe. Yet very often that soldier or sailor is the brother or son, or even the grandson, of the skilled worker at home.

Mr. Chairman, I trust this amendment authored by the learned legal scholar from the Old Dominion, HOWARD SMITH, will be decisively defeated.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, the cause for which America fights in this war is the cause of the common people of the world. When we forget that we have forgotten the most important thing about it all.

The Smith amendment must be defeated for one primary reason, and that primary reason is that without in any way extending the length of time that can or will be worked on defense materials and war production it will deprive the poorest workers, those least able to defend themselves and their standards in this whole Nation, of one of the protections the Congress gave them precisely because they are not organized, namely, the right to draw time and one-half pay when they work overtime.

If I knew of a single statute on the books of this country that imposed an absolute limitation on the number of hours a man could work, and thus prevented war production from being at the very maximum, I would vote for its suspension. That is not the issue. These laws do not limit the hours that can be worked. They only say that if more than

a certain number of hours are worked time and a half shall be paid. The issue has been described by other gentlemen who have pointed out that the issue is how much pay men shall receive, not how many hours they shall work.

It has also been pointed out, and very effectively, that if we really feel that our war effort is not going forward as rapidly as it should, we then must consider it fairly and from every standpoint.

I have received too many letters from men working in plants, and from other people as well, complaining that workers are told by their foremen and superintendents to "go slow" or "take it easy," for me to fail to see that in these cases it is management that is responsible for retarding production. We cannot overlook the fact that a lot of our contracts are cost-plus-fixed-fee contracts, and that the higher the cost on one contract the larger can be the fee on the next one. I do not believe such practices are general by any means, but they should not exist at all, and certainly they should be condemned as roundly and as universally as some of labor's faults about which so much is made.

Mr. Chairman, the amendment of the gentleman from Virginia is very wide of the mark. The mark is increased production, the removal of every obstacle to such increase. Hours of labor now are so far as I am able to determine, in most cases, just about as long as men can effectively work. There are other limitations. Complaint was made the other day about an airplane plant going on a 5-day week. It was not mentioned that the plant works 24 hours a day. Nor was it pointed out that the reason for the 5-day week was purely and simply the fact that certain materials necessary for the particular type of plane being made by this company had been assigned by the War Production Board to other companies so other types of planes could be produced in larger quantity. That is not labor's fault, nor management's fault, for that matter. Neither has it anything whatsoever to do with the Wages and Hours Act.

Again many Members have quoted the first part of an article in the Washington Post of Wednesday of this week wherein the headlines simply indicated that employees of Bethlehem Steel in California had refused to work 10 hours. Anyone who did not take the trouble to turn the page and read the whole article did not know that what these workers were asking was as a matter of fact, 24-hour operation of the shipyard instead of 20-hour operation. They wanted three 8-hour shifts instead of two 10-hour shifts. And anyone who has ever worked in industry will know that three 8-hour shifts can turn out work far in excess of two 10-hour shifts. In what way the passage of the Smith amendment taking away time and a half pay for overtime would help to solve this problem, I am utterly unable to see.

Moreover, there is this to be said. There are still men out of work—unemployed—in this country. One thing that will help production is to get every single one of them into a job. Which may have been in the minds of the men who asked that instead of their being given 2 hours



of overtime more men be hired and a third shift put on.

Now, no one as yet has put into this record the facts about the number of hours actually being worked today. I have taken the trouble to secure the latest available figures from the Bureau of Labor Statistics. Here they are. Not over 20 percent of all the workers in America are today working as little as a 40-hour week. And two-thirds of these who do not work more than 40 hours are in continuous-process industries—industries where the plant never stops operating at all and where in everyone's opinion the best organization of working hours is three 8-hour shifts.

The other 80 percent of the workers of the country, I am informed, are working in practically all cases at least 48 hours a week. Most of the workers even in continuous-operation plants are working 48 hours. Many are working as much as 60 hours. One of the largest plants in Detroit just recently went off a 70-hour shift onto a 56-hour shift. I spent the better part of 2 years of my life working on factory assembly lines and I know that more will be turned out by men working 56 hours than by men working 70 hours.

In machine tools average hours today are 53.8 per week; in other machinery, 46.3; in aircraft, 46.2; in aero-engines, 49.9—and so it goes. Furthermore, these are hours actually worked per man and all time out for accidents or sickness are excluded so that the actual number of hours worked per worker is substantially higher than the figures I have given. And yet in the face of these facts Members have repeatedly said that we must do something to get rid of the 40-hour week. By and large there just is not any such thing right now.

What then would be the effect of the Smith amendment? It would be twofold. First the wages now being paid would be cut—not in highly paid industries where collective bargaining prevails but in the low-paid industries where the only protection is the Wages and Hours Act. And this in the face of a rising cost of living. Is this the story we want to send round the world, as the Axis radio will certainly do? I think not. Second result will be that profits of corporations would be correspondingly increased, unless labor itself took steps to protect itself. Is that a situation that will promote production? I think not. Neither do I think it fair.

The truth of the matter is, though few people seem to realize it, that we are doing pretty well. In many lines our production is even ahead of the goals the President has set. And the millions of American workers are the only people on earth who have been or can continue to be the backbone, strength, and sinews of that production record.

But we are not doing as well as we ought to do. Nor will we be doing that well until every bit of selfishness is buried away and every bottleneck broken. That is a big order. But not too big for America to fill.

It requires that several things happen. It requires that labor do certain things. It is true that not a single strike of any

importance has taken place since the war began, but there have been some little ones. There ought not to have been any. I am not saying—nor can anyone say—they have been labor's fault in every case or even in a majority of cases, but they have happened. And I wish it were possible to have the men in positions of labor leadership in the locals where these strikes have taken place understand how deeply every single strike that takes place, however small and unimportant it may be, is today hurting the cause of labor. The newspapers will play up to the utmost every such occurrence, and in many cases all the facts will not be told. For the duration of the war the no-strike policy has got to be a complete no-strike policy, with no exceptions.

Moreover, there ought not to be any cases where a closed shop—closed union—practice exists. By that I mean there ought not to be any cases where a union that has a closed shop, either by the charging of high initiation fees or by any other means, excludes from employment any qualified worker at all. As I have said before in the House, the extent to which the closed shop is extended makes it the more certain that Congress will one day enact a labor code in this country which, without taking from labor any of its rights, will be protective of the rank and file.

Any union practices or rules that hamper in any way the full output of every man should be suspended for the duration of the war.

On the other hand, there must not be a slow-down policy on the part of any company. I have had too many reports of situations where men eager to work at full tilt have been advised by their superintendents and bosses to slow down for me not to believe that there is substance to these reports. If strikes on the part of labor are wrong today, so, certainly, is this sort of thing. Indeed it is far less excusable. And so far as I can discover, the reason this sort of thing takes place is in order that costs may be increased and a larger fee justified for the companies.

And, furthermore, as the gentleman from Wisconsin has so well said, there are corporations which as a result of this war are making exorbitant and unjustified profits. Nor will our present tax laws effectively reduce them to justifiable earnings. As long as this situation exists, to pass a law, like the Smith amendment, which will merely cut down the earnings of labor would be an act so patently unjust as to make Members in the future ashamed to have done so.

No, Mr. Chairman, I am not attempting today to say that labor must not be asked to give up anything. Labor, like every other group in our society is giving its sons to the Army and to the Navy. Labor in America is the basic dependence of all the United Nations around the world. Without the men and women who today are laboring in the mills and shops and plants of this Nation, America and all the nations with whom she fights would inevitably suffer defeat.

My final appeal is that Congress must so act that everyone in America will know we have been fair. If we are to

abandon our present general policy of depending on the patriotism of labor and management to deliver the production we so desperately need then the remedy is clear. It is not to pass a bill that cuts the wages of poorly paid workers. Neither is it a bill that would unfairly penalize employers for labor's benefits. Mr. Chairman, when the House believes it must go to some other program it must go into it with its eyes open and in thoroughgoing fashion. That would be to say that only by cutting out all profit and chance for gain, and suspending at the same time the normal functioning of our labor laws can we achieve the production we need. Are we ready to say that? If we are, then we should put everyone and everything connected with the war-production industries into the service of the Nation. We should, for the period of the war, operate the plants not for private profit but for the national need. We should pay salaries to the executives and fair wages, determined by the War Labor Board, to the workers. And then, gentlemen, if we do all that, will be the time and the only time when Congress can suspend the operation of labor laws and forbid strikes, for then all these men will be working for the Government and there will be no profit but only a fair and just return to all.

There may be a real question as to which method we will have to use before we are through. Every strike, every dereliction on the part of management, every grasping for additional profit will be a blow at our present relatively free method of handling things. I hope these blows will not be struck. I hope we can win through with a minimum of governmental control. But win we must and whatever it takes to do it we must do.

The foundation stone upon which every act of Congress must be based is that it makes more fair and equitable and never less so the distribution of the burdens of this war and the sharing of all groups in America's great effort today and in the hope she can afford to every person in a happier tomorrow.

America's cause is the cause of all the common people of the world. Let us never forget that for a single moment. The Smith amendment should be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, 10 minutes ago I was called to the telephone and had the privilege and pleasure of talking with an old friend of mine, a Democrat whom I know to be honest and upright, and who today is connected very closely with the laboring men of this country, union men, in defense industries. He said, "Ben, I want you to know that at least 90 percent of the union men are willing that this 40-hour week be taken off and canceled out. Mr. Chairman, I yield to no man in my support of the men and women who toil. They are patriotic. They resent the idea that Members on the floor of Congress and other people as well say that while everybody else is doing his part in this war effort, and while our boys are fighting and dying, labor is demanding time

and a half for overtime and double time for Sundays and holidays." They want to work and work hard at regular pay. I do have a feeling that we would have been better off in this Nation if we had not entered into the program of appeasing the Japs. If we are going to start appeasing the very small minority of labor who are against doing everything and all they can in this all-out war effort, then we may find ourselves and our country in a very precarious position at the most critical time.

I know that next spring, next summer, next fall, next year, and maybe longer, you will see old men, old women, and young children by the thousands working almost night and day on the farms to produce more food and more fiber for this Nation and our Allies because their sons and hired men have left the plow in defense of their country.

Mr. Chairman, I feel this amendment should be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WEISS].

Mr. WEISS. Mr. Chairman, I rise to answer some of the statements made by the distinguished gentlemen from Virginia and Mississippi. Yesterday, on page 1713 of the RECORD, the gentleman from Virginia [Mr. SMITH] said:

I think we have been handicapped enough—God knows—by strikes and stoppages of work for silly reasons.

On page 1715 the gentleman from Mississippi [Mr. WHITTINGTON] said:

Defense is lagging, tanks are not being produced, planes are not coming off of the assembly line.

Every Member of the House knows that these statements are not true. They, no doubt, have been inadvertently made, because every Member of the House knows that the shipbuilding facilities engaged in production in this country, including every shipyard in the country, is from 3 months to 19 months ahead of schedule.

Let me also say this. Coming from one of the largest steel industrial districts in the country, the city of Pittsburgh, every plant in this area since December 7 is producing far beyond anticipated expectation. One example is the Christy-Parks Works, of McKeesport, Pa., the same plant that led in the manufacture of shells during the last World War, is far ahead of its schedule, as evidenced by the production charts showing production during the months of December and January and up to the 16th of this month. I am reliably informed this morning that all plants are far beyond anticipated production throughout the entire steel area. The Pittsburgh Steel Foundry, of Glassport, Pa., which is producing anchors for the Navy, is way ahead of its schedule of production. There is no stoppage, and there has been no stoppage in the production of any materials of war in our Pittsburgh steel industrial district or in any other industrial section, for that matter, because labor is doing its part and showing its true spirit, loyalty, and patriotism in aiding in the successful prosecution of this war.

These statements made by the gentleman from Virginia [Mr. SMITH] and those made by the gentleman from Mississippi, to which I have referred, are erroneous. For instance, take our plane production. We produced over 3,000 planes last month, which was all that we expected to produce; and the only reason we are not producing more is because the automobile manufacturers failed to heed the advice and warning given a year ago with regard to readjusting their assembly lines and for the further reason that the Aluminum Co. of America monopoly failed in warnings and orders given them over a year ago to produce aluminum and manganese so vital to plane production now. Even with that failure by industry and through no fault of labor, we will be producing the 60,000 planes which the President predicted we would be producing before the end of 1942. Let us not be hysterical and blame labor for every trouble in the country. We are way ahead of schedule on the entire industrial front.

Let us take up the matter of profits, because little has been said in the House during the present debate about that. Neither the gentleman from Virginia [Mr. SMITH] nor the gentleman from Mississippi [Mr. WHITTINGTON] made any effort to recapture the profits of industry. Let me say to this House that for the first half of this year General Motors showed a profit of \$126,000,000, which was 26 percent over the profits of the last half of last year; American Telephone & Telegraph showed profits of \$117,000,000; and Standard Oil showed profits of \$77,000,000. Will anyone question the right of labor to receive time and one-half for overtime in view of these tremendous profits of industry? A decent standard of living to the workman is just as vital as a decent schedule of airplane production.

Let us play fair both with labor and capital. Let us not try to hamstring labor in this critical hour of a great war in which the liberties and freedoms that are our heritage are not only threatened but civilization itself. Let us strive for unity, so essential to the successful prosecution of this war. Let Government, industry, and labor work hand in hand, and we cannot fail.

As Kipling so well said:

It is not the individual or the army as a whole,  
But the everlasting teamwork of every blooming soul.

The sons of labor, too, are serving in the armed forces of America and more than willing to give their lives for you and me.

And I include herein a letter from Mr. Joseph O'Hara, a member of the United Mine Workers of America:

HON. SAMUEL A. WEISS,  
House of Representatives,  
Washington, D. C.

DEAR MR. WEISS: I am writing you in protest of the House of Representatives' action in passing the Smith bill to suppress what was free labor in a land of democracy, hoping and praying that the Senate will be more discreet in their action toward labor.

It was with the thoughts of preserving our democracy that Mrs. O'Hara and I consented

to our two sons joining the armed forces 2 years ago and signed their papers accordingly, David being just 18 years 4 months old and Jim 17 years and 4 months old. Knowing as I do what happened in the last war, I wanted my two boys to be trained in the tactics of war and have the knowledge of the weapons used. I agreed with President Roosevelt for his wisdom in the creating of the draft for young men to the service of our dear land.

But whilst Mrs. O'Hara and I are willing to sacrifice the most precious jewels we possess—namely, our sons—in the defense of our democracy from without, we abhor the action from within by our own House of Representatives in suppressing free labor and turning this Republic into a Nazi state. We of the working class know that the action of the House gave comfort to the industrial barons and that they were licking their chops because they now feel their employees will become industrial slaves again, and that they will have a better chance to become war profiteers as in the last war.

My sons will be in the front line of attack for the defense of this Nation; that is where I want them to be. But if we are going to have some form of nazi-ism or any other "ism" except Americanism, I hope to God they die before taking the field. I also know that some of those industrialists with the one son, who are always looking in Washington for comfort from labor unions, will also be looking for deep dug-out jobs in the Army for that one son of theirs if inducted.

The United Mine Workers of America made a 3-year contract in the last war of \$5 minimum when coal was \$2.25 at the tipple. When the last war finished, the coal operators were getting from \$12 to \$18 a ton, but the mine worker was still getting the \$5 minimum.

If democracy is worth having, it's worth fighting for. That is why we of the United Mine Workers send our sons today to defend it just as 70,000 United Mine Workers of America sons were in the armed forces of the last war. If we are to be a democracy, let's have it, don't take it away from us.

In expressing my thoughts here, I feel I am also expressing the thoughts of those whose lot it is to toil for a living and who are the backbone of these United States, and the greatest of all Americans.

Very truly yours,

JOSEPH O'HARA.

To verify my position of production exceeding expectation, I herewith include a newspaper item by Mark Sullivan, clearly proving labor is on the job in producing implements of war:

TWO CHEERING DEVELOPMENTS SEEN IN WAR—  
MATERIAL IS ROLLING BETTER THAN QUOTA—  
FEW TIE-UPS NOW

(By Mark Sullivan)

WASHINGTON, February 24.—There are two definite, cheering developments. One is, the stuff is rolling out of the factories. The President, in his speech last Monday night, really understated it. Every important war material, including ships, is coming out of the mills and yards at a pace greater than was anticipated, hence more than enough to meet the immense program for this year and next, which Mr. Roosevelt laid before the opening session of Congress last month. If there is a possible exception, it is the bigger planes. These lag behind tanks and some other forms of war material. But planes lag behind the others only because the others are so far ahead of program. As to planes and everything else, the pace today is faster than enough to meet the program.

That program, when the President laid it down on January 6, was called by some fantastic. Today it is in sight of fulfillment. If the program is not met, it will be because of unforeseen conditions arising in the future.



The fulfillment that is in sight, if not interrupted, actually will turn out to be more than fulfillment. For once a process of this kind gets headway, it gathers momentum which carries it beyond early expectations.

How did this come about? One reason is, the American system of factory mass production was at last given a chance. To achieve factory mass production, certain conditions are necessary. One is agreement upon a model—and agreement not to change the model. This condition now exists generally.

For more than 2 years, before the defense program got into the factories, while it was still in the hands of Washington, Washington kept changing the models. To this, no blame attaches. The technical men at Washington, watching the war abroad, saw defects arise in existing planes and other war materials. They saw improvements made by practically all the countries in the war. That our technical men should take advantage of these improvements was necessary. That they should try to devise even greater improvements of their own was desirable. It was not merely a matter of more planes, it also was a matter of better planes. But all this led to constant changes in design. It distracted the factory managers. Orders were given in comparatively small lots, and even when planes were going through the factories, changes were made in blueprints. Mass production was impossible.

There are other reasons. Preceding Pearl Harbor there were countless strikes; since Pearl Harbor there have been few. Also, throughout the early period some labor leaders wished to bring about a fundamental change, wished to get for themselves a voice equal to that of management in the conduct of industry. The economic, social, and ultimate political aspects of that need not be discussed now. Even if a new way of conducting industry were known to be better than the old, making the change would, at the very least, cause delay. Mere agitation for it caused delay. Apparently the agitation is now abandoned. Whatever the defects of the old way, it works—and now it is given a chance to work.

To feel cheer over the production of war materials may lead to unfortunate complacency. War materials pouring out of the factories is one thing, war materials on the battle front is another. Between the two are many hurdles. There is a monstrous hurdle of distance. To carry war material from an American port to practically any of its destinations is a 2-month trip for a cargo vessel, 4 months for the round trip, as President Roosevelt pointed out Monday night. There is the further problem of judgment in determining which shall be the destination for a given tank, or gun, or plane—whether to Australia, or to China, or to Russia, or to North Africa, or elsewhere. There are immense and intricate problems of coordination. For these problems we can hope we have the talent or can find it. That the materials are being made is the first step, it is going satisfactorily, and that is cheering.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I have prepared an analysis, assisted by competent authorities, of every one of the 17 measures affected by the so-called Smith bill, and I challenge the gentleman from Virginia [Mr. SMITH] to show in any of these acts anything which prohibits a workweek of over 40 hours. No one knows the provisions of these acts better than the gentleman from Virginia, and he knows that more than 40 hours is not prohibited.

Mr. Chairman, I hope the Members will vote on this question with their eyes

open and not on the misinformation which has been given in this House.

I hope you realize that when you vote for this bill you are not increasing production. What you are doing is increasing the profits of the manufacturers on contracts, which have already been entered into on the basis of time and a half for a week in excess of the 40-hour week. So the gentleman from Virginia, when he neglected to bring in companion legislation covering also the profits of these corporations, which would be increased as the result of his proposal, certainly, in my opinion, failed in his responsibility to the House.

Now, I am not going to impugn his motives, but I have been here for 5 years and my recollection is that during that time the gentleman from Virginia has opposed every piece of legislation that would be beneficial to labor. My further recollection is that every time a national defense bill has been offered in this House the gentleman from Virginia has attempted to use it as a vehicle to enact legislation which would be unfavorable to labor.

I am wondering, in all charity toward him, because I shall not question his motives, whether or not in his zeal and in his enthusiasm, he perhaps is not influenced in the present instance because of his animosity toward those things which have meant so much to labor and which he has always opposed.

I think we have, as the previous speaker said, to keep our eyes on the ball and not, under the pretense of correcting a condition which needs no correction, legislate here to increase profits and create a situation which would only cause disunity and perhaps dislocate present industrial schedules. It seems to me that the real purposes of the amendment are concealed and are other than the ones emphasized by the gentleman from Virginia [Mr. SMITH].

The following is a résumé of the acts affected by the Smith amendment to the second War Powers Act. A careful reading of this analysis will prove the accuracy of the contention I have made—that there is no prohibition against the working of hours in excess of 40 in 1 week by any of these measures.

1. Act of July 2, 1940 (Public, No. 703, 76th Cong.), Army speed-up bill prescribing 40-hour week and 8-hour day for laborers and mechanics employed directly by the War Department engaged in the manufacture or production of military equipment, munitions, or supplies. Overtime may be worked upon payment of time and one-half.

2. Act of October 21, 1940 (Public, No. 873, 76th Cong.) prescribes 40-hour week with time and one-half for overtime for specified field employees of the War Department and of the Panama Canal.

3. Act of June 3, 1941 (Public, No. 100, 77th Cong.), provides time and one-half for over 40-hour week for per annum employees of War Department, Panama Canal, Navy Department, and Coast Guard, and provides additional compensation for employees of War Department and Canal Zone foregoing vacations.

4. Act of March 3, 1931 (5 U. S. C. 26 (a)), provides Saturday half holiday for civil employees of Federal Government and District of Columbia, exclusive of employees of certain departments, and contains provision for compensating time off. Executive orders have suspended this act as to certain civil em-

ployees of the military departments (see Executive Orders Nos. 8816, 8860, 8876).

5. Act of June 30, 1936 (41 U. S. C. 35-40, Walsh-Healey Act), providing 8-hour day and 40-hour week stipulations in Government supply contracts of over \$10,000 worked in excess of 8 hours a day and 40 hours a week permitted at time and one-half. Upon finding and need by contracting department, all overtime requirements may be suspended by the Secretary of Labor.

6. Act of October 10, 1940 (Public, No. 831, 76th Cong.), prescribes 8-hour day and 40-hour week on Maritime Commission contracts, overtime permitted at time and one-half.

7. Act of June 28, 1940 (Public, No. 671, 76th Cong.), Navy speed-up act providing 8-hour day and 40-hour week for certain specified employees of Navy Department and Coast Guard with time and one-half for overtime; suspends during the emergency the provisions of law prohibiting more than 8 hours of labor in any one day on Army, Navy, and Coast Guard contracts. (NOTE.—See No. 15, below.)

8. Communications Act of 1934, as amended by the act of March 23, 1941 (47 U. S. C. 154 (f) (2)), provides for additional compensation for Federal Communications Commission inspectors for night work and holidays.

9. Act of March 2, 1917 (48 U. S. C. 737), Organic Act of Puerto Rico, providing an 8-hour day for laborers and mechanics on public work by or on behalf of Puerto Rican government. No. 15, described below, permits overtime after 8 hours upon payment of time and one-half for contract work with Puerto Rican government.

10. Act of May 2, 1941 (Public, No. 46, 77th Cong.), extends No. 6, above, to emergency contracts for Maritime Commission.

11. Act of July 21, 1932 (15 U. S. C. 605 (b)), empowering the Reconstruction Finance Corporation to require a 30-hour week so far as practicable on liquidating projects (merely hortatory).

12. Act of June 25, 1938 (29 U. S. C. 207-208), wage-and-hour law requiring time and one-half after 40 hours a week for employees in or producing for interstate commerce.

13. Act of June 19, 1912 (40 U. S. C. 324-325), prescribing an 8-hour day for laborers and mechanics on public works. No. 15, below, suspends prohibition if time and one-half is paid.

14. Act of August 1, 1892 (40 U. S. C. 321-323), prohibiting work in excess of 8 hours a day on public works by Government or its contractors. So far as Army, Navy, Coast Guard, and Maritime Commission contracts are concerned, this law was suspended by No. 6 and No. 7, above. As to direct employees of the Government, the law has been suspended with respect to Army, Navy, Panama Canal, and Coast Guard Executive Orders, Nos. 8623, 8797, 8837, 8848, and 8859, leaving unaffected only normal activities of peacetime agencies. As to these, the President has full authority to make suspensions by Executive order.

15. Act of September 9, 1940 (40 U. S. C. 325 (a)), amends No. 13, above, to permit overtime after 8 hour a day at time and a half on public works contracts with the United States. (By act of March 4, 1917, 40 U. S. C. 326, President had corresponding power to permit overtime at time and a half.)

16. Act of March 3, 1931, original Davis-Bacon Prevailing Wage Act, which was revised and amended by act of August 30, 1935 (40 U. S. C. 276 (a)), providing for a predetermination of minimum wages for laborers and mechanics on Government construction contracts over \$2,000. (This act contains no maximum-hour restrictions to be suspended.)

17. Act of March 4, 1917 (40 U. S. C. 326), empowers the President to permit work over 8 hours, notwithstanding No. 13, above, if time and a half is paid. This statute is made obsolete by No. 15, above.

Mr. WASIELEWSKI. Mr. Chairman, we are engaged in a war, the result of which will affect the future of each and every one of us. It will affect the future of industry, agriculture, and labor alike. It calls for an all-out effort on the part of all Americans. This is no time for us to be group conscious. Above everything we must remember we have a job to perform in the preservation of our American way of life by winning this war. If we lose this war, the rights and privileges of industry, labor, agriculture, or any other group will mean nothing.

Several years back before the clouds of war began to take definite form, we had adopted legislation in this country that would take the profit out of war, hoping thereby that we would avoid war. We have found, however, that whether or not we were to engage in war depended not alone on our own choice. Now that we are at war, no person nor group should be allowed to make a profit from it. Yet on every side we find that our Government is paying more for certain products, for certain labor, and for certain agricultural commodities than does a private buyer. If we are to bring this war to a successful conclusion this condition cannot continue. We cannot expect to build morale in our armed forces where men are asked to give service to their country at \$21 and \$30 a month while men at home, who are no better than they, and no better trained than they, are permitted to earn many times that sum in 1 week. We are all in this war and we should shoulder the responsibility and burden of it equally.

The 40-hour week was adopted in order that the work available might be spread among more men. The employer was in a sense penalized to the extent of paying time and a half, or double time, for using his employees beyond said hours. In our war effort today we need 18 men in industry and agriculture to support 1 man in the front lines. There is a threatened shortage of skilled mechanics and labor. To meet this situation it is as fair to expect our workers in the plants to suspend the rights and privileges of the 40-hour week, just as we expect our men in the armed forces not to be bound by any such laws and provisions.

I feel constrained to vote against the amendment proposed by the distinguished gentleman from Virginia because his bill does not go far enough. His measure, if adopted, would limit the profits from war only to the workingman and laborer. It makes no attempt to limit or control the profits of industry and agriculture. I wish, if I may, make a suggestion to the gentleman from Virginia that he bring before the House legislation that will take profit out of the war for industry, agriculture, labor, and all other groups alike, and I will support it.

I am sure that in such action we will have the support of our Nation, and that such action on the part of Congress will bring about unity, promote morale, and an early victory. It is our solemn duty to limit all war profits now and not wait until the war is over.

Mr. POWERS. Mr. Chairman, I merely rise to read to the Committee a

section of Public Law No. 2—chapter 2, Seventy-seventh Congress, first session—H. R. 1776, the first Lease-Lend Act. Section 3—A of that act reads as follows:

Notwithstanding the provisions of any other law, the President may from time to time, when he deems it in the interest of national defense, authorize the Secretary of War, the Secretary of the Navy, or the head of any other department or agency of the Government:

(1) To manufacture in arsenals, factories, and shipyards under their jurisdiction, or otherwise procure to the extent to which sums are made available therefor, or contracts are authorized from time to time by the Congress, or both, any defense article for the government of any country whose defense the President deems vital to the defense of the United States.

I am not a lawyer, but I have shown this section to many good lawyers in the House. They are of the opinion that the President now has the power which the gentleman from Virginia [Mr. SMITH] wishes to give him in his amendment.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. POWERS. Yes.

Mr. DONDERO. I have listened to the reading of that clause, and if any language is explicit, that is that the President now has the authority sought to be given to him by the Smith amendment.

Mr. POWERS. The President, in the opinion of many good lawyers in the House, already has that power.

Mr. WHITTINGTON. Does not that power expire in practically all of those acts on the 30th of June 1942?

Mr. POWERS. I am not speaking about the expiration of the law, but I am stating that the President has the power now.

Mr. WHITTINGTON. And that is the reason it should be reenacted, because the power does expire at that time.

Mr. POWERS. Then you admit he has the power?

Mr. DOWNS. Mr. Chairman, I did not intend to take the floor to discuss the Smith amendment, but I feel, in all fairness to the thousands of laboring people in my district, that I must raise my voice in their defense.

It is proposed, with a single stroke, to wipe out the entire progressive advancement of labor and return to the days of 1892. Some of the largest defense plants in this entire country are located in the district which I have the privilege of representing in this House. We have had no labor troubles of any consequence in this district. These people have toiled long and willingly to turn out planes, boats, guns, and ammunition, and other defense materials to carry on this war. I cannot stand by and see them unjustly penalized without raising my voice in protest.

I do not claim that every act of labor in this country has been right, but I have stated in the Well of this House several times, that we should not penalize the rank and file for the acts of a few renegade leaders.

I have heard other Members in this debate point to the fact that the boys in our armed forces, today, are receiving a low salary of \$21 per month while

defense workers are being paid high salaries. That is true. It was true in the last war, but may I point out that a large majority of the boys in our fighting forces are the sons of men and women in the laboring group. Many of them have gone from the ranks of labor into the service themselves. I know of one defense worker, toiling long hours, who has six sons in the service of his country; I know of another with four sons in the service, and still another with three. Certainly the patriotism of these men cannot be questioned.

Under the present law there is no limit on the number of hours a man can work. If this amendment is adopted, I am afraid it will only serve to increase profits and lower production. These are days when this Nation is crying for unity, and certainly a slap at the defense workers of this Nation now is not going to bring about a greater degree of unity. In my opinion, it is going to create disunity.

It is time that the people and the legislators stop sniping at the administration, the Army, the Navy, and labor, and turn to the task of winning this war. If we do not bring this war to a successful conclusion, it will not make a great deal of difference what happens to any of us.

It is my hope that the Members of this House will use sane and sound judgment and not throw this country into turmoil by adopting this amendment today. I urge that it be voted down in the interest of our country—the greatest Nation on the face of this earth.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. FOGARTY. Mr. Chairman, I speak to you today not only as Member of Congress but as one of those whom this bill is aimed at, namely, a labor man or labor leader. In the State of Rhode Island we have, I believe, by far the outstanding labor leaders in the Nation. We have our share of defense work and we have had no trouble with strikes on defense work. The gentleman from Georgia yesterday referring to this bill included all labor leaders as racketeers. Mr. Chairman, the gentleman from Georgia by that remark also referred to me because I am still considered a labor leader in Rhode Island. I hold office in my local union in Providence as president emeritus of the Bricklayers, Masons and Plasterers Subordinate Union of Providence, R. I. I am still interested in them, their problems are mine and as long as I am a Member of Congress I will do everything within my power to defend them against such unwarranted attacks as we are listening to today, and I want to inform the gentleman from Georgia that I am just as patriotic as he is and that he is no more patriotic than all the labor leaders in Rhode Island or any person in the State of Rhode Island who earns his bread by the sweat of his brow, regardless of whether he or she is a member of a union or not.

The gentleman from Georgia said yesterday let us be real, let us be men, let us be Americans rather than the representatives of some organized group. I say to the gentleman from Georgia if he wants to be real, wants to be a real American, would he vote for the repeal



of the antilynching law, would he vote to repeal the poll-tax law which keeps the poor whites and the colored from voting in the district he represents, will he or the rest of you who are supporting this amendment and who represent an agricultural district speak and vote against the agricultural bill which has just passed the Senate which will cost the consumers at least \$1,000,000,000?

The supporters of this amendment proclaim that this is just a suspension of the laws for the duration; well, I fail to agree. I maintain that this is just the beginning of a drive that is being carried out all over the country conceived and sponsored by the manufacturers, the industrialists, the press, and those of you in and out of Congress who hate and fear labor, the ultimate purpose to shackle labor, to take away from them everything they have gained during the past 50 years, to drive them back to the sweatshop days, back to the cut-throat conditions, back to the days of starvation wages and unlimited hours; yes, back to the days of slavery. When the gentleman from Virginia or the gentleman from Georgia or the gentlemen from Mississippi get up on the floor of this House and claim that in the interest of national unity they are sponsoring or supporting a bill that has to do with labor, I question their sincerity. I have been here for only 14 months but it took me only 2 months to find out those who were attempting to do whatever they could to take away from labor in this country everything that it has gained and day in and day out attempt to scuttle the labor laws that have been so justly earned.

Mr. Chairman, the very men who are seeking to have this amendment adopted under the guise of national unity opposed this very same labor legislation when it was being enacted.

If they are sincere, why do they not come down to the Well of the House and tell the truth; why do not they give all sides of the story? Why do not they play the game on the level, be square and be fair. Why does not the sponsor of this amendment explain to the House both sides of the story that he told yesterday in regards to the walk-out at the Bethlehem Steel Corporation in Los Angeles which is that when the Bethlehem ordered two 10-hour shifts instead of three 8-hour schedules they defied the Navy Department, the Maritime Commission, and the War Production Board? The company took the position that it was ahead of schedule on ship construction and that it should not be bothered by the Government. They also claimed that a night shift is not efficient; but all other shipbuilders have found out otherwise. The union at the plant tried by negotiation to have the company rescind its new policy but to no avail. This story was also carried by the press of the country in such a way as to discredit the union and their leaders, which is nothing new for the press to do. The newspapers do not seem to be interested in constructive labor news; on the contrary, everything they can dig up that will be detrimental to organized labor is what they delight in giving the front page.

On several occasions yesterday during debate I listened to Members quoting from the headlines of various newspapers misleading stories in regard to the labor situation of today. Mr. Chairman, those of us who know labor pay no attention to these stories; we know that the allegedly free press owe their loyalty to the moneybags who control their publications; we know they speak the policy of big business; we know they hate and fear labor; we know they seize upon every opportunity to smear labor; and those in this House who hate and fear labor take a great deal of pleasure in reading into the Record these biased distorted, viciously ridiculous, misguided, and silly stories in regard to organized labor.

Why do they not go back to the days when this program was started, when the manufacturers held up this defense program for 6 months in order to get the terms that they wanted from the Government? Did they get them? They did get them. They claim on the floor of this House that this is not an antilabor bill. Do any of those gentlemen think I am silly enough or dumb enough to know that it is not an antilabor bill? Do you think I am silly enough or dumb enough to think it is for the benefit of labor? These men who are working in the defense plants today are not only producing the arms and ammunition for our boys, but they are also producing in another way. They are not practicing birth control like the idle rich, the 400, the leaders of society. It is the working men and women of this country who raise the families and have to support them. They are the ones who are fighting our wars today.

Mr. Chairman, I hope this amendment is defeated in order that this country may be the country in the future that you and I and our brothers and sisters, our sons and daughters were privileged to have lived in during our lifetime. Let us go forward as real Americans and defeat this amendment so that we will not create disturbance, disorder, discord, dissatisfaction, but create unity and get the planes off the paper and into the air.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SACKS] is recognized.

Mr. SACKS. Mr. Chairman, the attempt on the part of those who would suspend all labor laws is one that they say is in the interest of unity. Somebody on this floor the other day said, "You cannot legislate unity; you cannot legislate patriotism." I know and you know that this attempt is not one for the benefit of increased war production, because if it was, if this was a question of production, they would also include in this bill a limitation on the profits.

I do not know who it was, but somebody said that profits by some are a sign of their patriotism. A committee in the other Chamber found that the profits were excessive in many instances in the preparation of our war effort. There is nothing in the amendment presented by the gentleman from Virginia that would prevent the employers from taking the profits that they would make by forcing

labor to work overtime without paying time and a half.

Let me show the difference in patriotism between the laborer and the employer in my district. The iron workers and steel workers in my district worked 1 day and gave all their pay to the Navy relief, which amounted to \$50,000. It was presented last Sunday to the Navy relief. Did the employers take the profits of that day and give it to the Navy relief? No.

Let us not question the motives of those who toil and are vitally interested in this war. They do not want the ideology of nazi-ism to triumph. They are fighting this war to protect democracy. We ought not impugn their patriotism. American labor is patriotic. Their sons are in the Armies and Navies of this great Nation. They are ready to give their all. Must we by legislation brand them as selfish and unpatriotic? To pass this would be doing such. I am opposed to the Smith amendments. All our experts tell us our production is ahead of schedule. This properly establishes labor as doing its share. Let us not by legislation again revert to the era of exploitation and economic slavery. Let us not be economically patriotic and use it as a cloak to destroy progressive, liberal legislation. This war must not be a vehicle where selfish interests again dominate American legislative halls. Defeat 1942's blitzkrieg on American labor by the old, selfish interests of enslaved labor control.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, we have been discussing the Smith amendment for several hours. There seemed to be much discussion with regard to the patriotism and motives of labor, particularly as it applies to organized labor. That sort of an argument is superficial. Of course, I have many organized workers in my district, both A. F. of L. and C. I. O. However, there is something that this House has overlooked in this debate. I refer particularly to those present who do not have the problem of organized workers. Do you realize that the organized worker, in most instances, is fully protected on the overtime and time-and-one-half feature by contract, which is valid and enforceable and which will hold regardless of what action we might take? What I am interested in and what I am calling to your attention very forcefully, for it applies to the unorganized workers of 80 percent of the Members in their districts, is that this is going to affect more directly and vitally the interests of the unorganized worker, the worker in the big chain mercantile store, in the small town, and to thousands of others deep in the hinterland and far removed from the industrial districts. These are the people who will pay the price if you take away this minimum protection afforded by law. They will return to a 60- to 72-hour week at a 50 percent cut in their wages.

I want to call this to your attention—those of you who do not have the organized workers in your district. You are voting away their best interests—wiping

out their hard-won gains. The workers in our districts will be able to take care of themselves as long as they are organized and as long as their contracts are in effect and hold. But in your cities and small towns—deep in the interior, where you do not have the protection of the C. I. O. and the A. F. of L. for your workers—that is where this Smith amendment is going to put a crimp in your workers. That is where you will feel the sting when the time comes.

I want you take this into account when you vote on the amendment because you are overlooking something. If you think you are going to apply this to the big industrial areas and to their disadvantage, you are mistaken. It is going to hurt most in your own districts.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Chairman, I rise merely to state two facts and then to ask two questions. The two facts are included in correspondence which has been handed to me, between the Commissioner of Labor Statistics and our majority leader, the gentleman from Massachusetts [Mr. McCORMACK]. The first of those facts is that at the present time in defense industries most firms are working many more than 40 hours a week. In the airplane industry, for instance, under most of the big contracts we find the workmen working 52 hours a week. This merely brings out the fact that there is no Federal law today limiting the number of hours to be worked.

The second point in that correspondence is that there are in outstanding contracts about \$8,000,000,000 for wage payments. If this amendment is adopted, a good deal of this money, hundreds of millions of dollars of it which has already been contracted to be paid to the employer, will simply not be paid to the employee. It will simply be a windfall for the employer at the expense of both the Government and his employees.

The two questions are these: The sixteenth law mentioned in the amendment offered by the gentleman from Virginia is the Bacon-Davis law pertaining to wages on Government construction contracts. It does not refer to hours in any way. I am wondering why a virtual minimum wage law is included in this amendment.

The second question is: Why in a sweeping amendment of this sort taking away protection from millions of workers some groups are excluded? I wish personally they had all been excluded, but they are not; and I hope we shall learn today why the employees of the railroads were excluded from this amendment. I hope very much the gentleman from Virginia in his own time in a little while will answer these two questions. I hope that then this House will vote down his amendment.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from South Carolina [Mr. HARE] is recognized.

Mr. HARE. Mr. Chairman, the purpose of this bill, as shown by the title, is to further expedite the prosecution of the war.

The action of the Congress for the last 3 days in an effort to pass the bill might indicate that it is doing just about as much to delay the war efforts as other agencies by its insistence to discuss matters really not germane to the subjects involved. Our actions suggest to me the story of the long-winded Member of Congress a number of years ago when the subtreasury questions were the paramount issue in public life. After he had spoken about 2 hours to a country audience he straightened himself up and with outstretched arms exclaimed, "Fellow countrymen, I am speaking for future generations," whereupon a farmer in the audience arose and said, "By gum, if you speak much longer they will be here."

My thought is if we continue to speak on this bill there will be little or no necessity for trying to expedite the prosecution of the war effort. The war may be over before we get ready for it.

But my purpose, Mr. Chairman, in asking for recognition at this time is to say a few words on behalf of those who are now in the war, particularly the young men who are in it. They are interested in this bill. They are interested in expediting our efforts to end the war. They are not in the armed forces with the idea of making a military career out of it. They would like to see the war brought to a close as soon as possible and they would like to have munitions and implements with which to do it. They would like to see this war end next month the next 6 months, or within the next year in order that they may go home and begin to lay foundations for future living. They have little patience with our delay in furnishing them with munitions and equipment due to strikes in our defense activities and bickerings between labor leaders and industry, coupled with Congress debating whether this or that program will dovetail into the post-war program. If some of us were as anxious to demonstrate our patriotism as Shirley Crow, of Oconee County, S. C., who walked 30 miles a few days ago to present himself at the office of the draft board to say: "If my country needs me, I am ready to go," the morale of the people generally would be better and the morale in the armed forces would be greatly improved. If strikes delaying production in defense industries continue, the morale in both groups will grow worse. The services of these boys are not limited to so many hours per day or any number of hours per week. They are subject to call over 150 hours a week, and they know it. They are saying now that if they are not supplied with defense weapons without delay there may not be a post-war program, and if there is continued delay on account of strikes for selfish gain I think I can hear them saying: "If there is a post-war program we will write the formula after we get home and you are just delaying the whole thing by bothering with it at present."

The urgent and tragic need right now is additional fighting equipment, and the purpose of this bill is to expedite its production. The necessity for haste is so pronounced that to me it seems almost unpatriotic to spend days talking about peacetime recreation, peacetime occupation, or peacetime legislation. We should

realize the war is on. The battle is raging, and men in the front lines are begging for weapons to protect their own lives and to preserve the country they love.

Not only the young men in the armed forces are interested in this bill but their fathers and mothers are greatly interested. Many of them have sons already on the firing line—sons whose lives they are willing to sacrifice on the altar of their country provided they are given an equal chance for life with equal equipment for use in combat. I feel that I speak the sentiment of a lot of these fathers and mothers, for I happen to be the father of one of these boys in the front line somewhere in the Pacific and I am anxious to see that he and his comrades, wherever they may be, are furnished with such equipment as will give them at least an equal chance in the battle for liberty and freedom. His father and mother will not complain if he should fall in mortal combat equally armed with his antagonist, but I am unable to contemplate my feelings if I should learn he has sacrificed his life because the Congress of the United States or the people for whom he is fighting failed on account of strikes, selfish bickerings, and incident delay to furnish him with sufficient bombs or necessary equipment to defend himself in battle with a merciless foe. On the other hand, I would be mortified and feel like an unworthy sire of a courageous and patriotic son if he should return home in defeat, humiliation, and shame, place his hand upon my shoulder, look me in the face and say: "Father, we did the best we could with what we had to do it with, but the battle was lost while you and others debated what effect an hour's work per day would have on the social life of the country after the war."

There may be some things in this bill I would not support under ordinary circumstances, but since it is designed to expedite our war effort it is my purpose to support the bill in toto.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. McGRANERY] is recognized.

Mr. McGRANERY. Mr. Chairman, I ask unanimous consent that for the information of the Committee the Clerk read an amendment, which I have pending at the desk.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendment to be offered by Mr. McGRANERY to the Smith amendment: Page 2, line 11, after "or during the night", insert "Provided, That the value in dollars and cents which will accrue to the employer as a result of the adoption of this act in connection with the subject of overtime shall revert to the United States Treasury and the same shall be collected by the Commissioner of Internal Revenue."

Mr. SMITH of Virginia. Mr. Chairman, I reserve a point of order against the amendment.

Mr. McGRANERY. Mr. Chairman, I quite agree with my good friend the distinguished gentleman from South Carolina, that we should really get down to



winning the war. This is no time to create disunity. We need unity here and now; and if my good friend the gentleman from Virginia had thought well of the amendment he proposes here, he would have included in it language which would not let benefits accrue to the employer to the detriment and at the expense of the employee. If we are to win this war, we must win it with the working men and women of America; we must win it with their loyalty and devotion to their country in the prosecution of their jobs. They are not going to do it if by reason of the suspension of laws passed for their benefit you take advantages away from them and let the employer retain profits from the sweat of their overtime. The employer is undoubtedly unjustly enriched if the Smith amendment were to pass. Today in almost every instance employer and employee are getting along very well together; the passage of this so-called Smith amendment will in my opinion destroy this relationship. If they are sincere about their amendment, I ask the gentleman from Virginia now if he will not accept my amendment.

The working men and women of America are loyal Americans and if this amendment is passed and they know that their money is going back into the Treasury of the United States they will have no objection to it, but if it is only going to fatten the profits of an employer, then, of course, the working men and women of America will feel that we here have discriminated against them to the benefit of the employer and they will not have the enthusiasm in their jobs they now have. I sincerely hope that the Smith amendment is defeated, but if it is to pass, I trust you will adopt my amendment, which provides for the recapture of profits that would otherwise go into the pockets of the employer; the funds recaptured would then be paid into the United States Treasury.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Ohio [Mr. THOM] is recognized.

Mr. THOM. Mr. Chairman, I rise to make a very pertinent inquiry. I should like to know from the author of this amendment why the civil employees of the government of Puerto Rico were included in it? If he can give us any light on that subject I should like to have it.

Mr. SMITH of Virginia. Puerto Rico is a possession of the United States.

Mr. THOM. Is there any particular defense work upon which these civil employees are employed at the present time which would necessitate the lifting of the 8-hour law?

Mr. SMITH of Virginia. I have not been there, but I imagine so.

Mr. THOM. But the gentleman has no advices from the government of Puerto Rico?

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. THOM. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. The gentleman from Virginia says he has not been there but he imagines so. I hope this whole amendment is not based on imagination.

Mr. THOM. Mr. Chairman, I have gone to the statute books and I find that the organic law of Puerto Rico adopted in 1917 contains the following provision:

That 8 hours shall constitute a day's work in all cases of employment of laborers and mechanics by and on behalf of the Government of the island on public works except in cases of emergency.

It seems to me that the suspension of the above provision is wholly unnecessary for if there is any work that needs to be undertaken because of this war emergency someone in Puerto Rico who knows more about it than we do has the right under this statute to lift the 8-hour provision affecting the civil employees of Puerto Rico. I can only assume from these facts that this particular part of the Smith amendment has not been carefully considered and that the author did not advise himself that there is a provision in the statutory law itself which permits lifting of the 8-hour limitation.

Mr. SMITH of Virginia. Will the gentleman yield?

Mr. THOM. I yield to the gentleman.

Mr. SMITH of Virginia. If the gentleman had read my extension of remarks the other day in which I endeavored to explain everything that was suspended, he would have found that I stated that it could be done in case of an emergency.

Mr. THOM. Why include it in this act, if the power now resides in the Government of Puerto Rico?

Mr. SMITH of Virginia. If the gentleman wants me to answer that I will be glad to do so.

Mr. THOM. I should be glad to hear the answer.

Mr. SMITH of Virginia. The purpose of this amendment is to suspend the 8-hour laws that did not have to do with safety measures. You will find a great many in there that may not be very material, but I have undertaken, with the aid of the drafting service, to have a comprehensive inclusion of all bills which restricted hours and labor.

Mr. THOM. Whether that is necessary or not?

Mr. SMITH of Virginia. That is a matter that the gentleman and I might differ on.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. KERR].

Mr. KERR. Mr. Chairman and members of the Committee, I regret very much that I find myself in disagreement with my distinguished friend from Virginia who has offered the amendment to the bill before the House known as the Smith amendment. I do not think that this amendment affects any class of labor at all except unorganized labor.

Certainly most of us have a very great respect for the unorganized labor of this Nation and none of us would be willing to exploit it under any circumstances. To confirm the opinion which I have about this bill I want to read to the House a telegram which should weigh very heavily with it as a piece of evidence. It is a telegram from one of the outstanding cotton manufacturers in the State of North Carolina, whose organization for many years has conducted one of the

most successful cotton mills in my State. Here is what an official of the Rocky Mount Cotton Mills has to say about the amendment under consideration:

ROCKY MOUNT, N. C., February 27, 1942.

Hon. JOHN H. KERR,

House of Representatives:

I sincerely hope you will oppose the Smith amendment to suspend the 40-hour week. The elimination of overtime will only affect unorganized labor and permit certain industries to realize more profits. The wage and hour law has been a godsend to the working men and women of this State, and the overtime provisions are holding down production is generally made by those who have always opposed such regulation and want to see it destroyed.

Kindest regards,

HYMAN L. BATTLE.

Mr. Chairman, I know that this evidence will weigh very heavily with the membership of the House, and I not only place it in the RECORD as confirming my own opinion about this proposed amendment, but I want to further convey to this House that it is the opinion of one of the great manufacturers in one of the great industrial States of this Union.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent that the Clerk read for the information of the Committee the amendment I have at the desk.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MURDOCK as a substitute for the amendment offered by Mr. SMITH: On page 12, after line 11, insert the following:

"Notwithstanding any other provision of law, the President is hereby empowered and directed, when necessary to speed war production for national safety, to suspend any provision of existing law pertaining to hours of labor in defense industries for the duration of the war."

Mr. MURDOCK. Mr. Chairman, as a father of two soldiers, I can understand how parents feel about their sons in the military service who may not be adequately equipped. However, I have no such reports concerning my sons. I understand what any delay in military production, which is so vital now to our winning the war, means, and I want no such delay. I feel that throughout this country there is a fear of delay and an imperative demand on the part of the public that nothing be permitted which would retard the production of the war equipment we must have to win this war.

In spite of that fact, I feel that the Smith amendment goes too far, and I offer a substitute amendment as a compromise. Although it has been stated on the floor of the House today that the President already has the power my amendment would give him, I doubt that he now has it and I want it to be written into the law. I do not know whether or not the President wants this power, as I have not talked with him for weeks and months. I have no means of knowing whether or not he would desire it. I know, however, that the President of the

United States is the Commander in Chief of the Army and Navy. On his shoulders rests the responsibility of the military phases of this war, and I think that on his shoulders should be placed this responsibility of military production, which is equally vital in the winning of the war.

According to the Constitution of the United States, the President is virtually a dictator in time of war. Outstanding Presidents have heretofore been so under their oath of office. George Washington was, Abraham Lincoln was, Woodrow Wilson was, and Franklin D. Roosevelt must be in the conduct of this war.

The laboring people of this country know the President of the United States. They know very well that labor has never had a greater friend in the White House than its present occupant. Yet he has dealt firmly with labor leaders and labor situations where the welfare of the country was at stake.

My amendment would provide simply that not all regulations should be suspended, but only those it is found necessary to suspend for the proper production of war material conducive to our national safety. The President would not go beyond due bounds in this respect. No man knows better than he what is needed. No man is more concerned or anxious about the outcome of this gigantic conflict than is the President. I believe American labor will be satisfied to have confidence in the President's direction of any necessary changes in working hours conducive to our safety.

Mr. Chairman, I hope this compromise amendment will be regarded as wiser than the far-reaching amendment offered by the gentleman from Virginia.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. BUTLER].

Mr. BUTLER. Mr. Chairman, I do not know that what I have to say will have much bearing on this question, although I think I am one of the latest to come from the labor world into the House.

From what I have heard in the last 2 days regarding this amendment that suspends the operation of 17 labor laws for the duration of this war, I think there is no one here who can explain all the laws that will be suspended. Perhaps we shall go back to the old sweatshop conditions and child labor, once these laws are suspended. We know we had a long-drawn-out fight to get these laws enacted—to get laws passed to protect the 48,000,000 people who are working in the labor world today. Approximately 12,000,000 of the 48,000,000 are organized. The 12,000,000 are the ones who have fought to get these bills passed to protect the other 36,000,000 people, and they are still fighting to protect these 36,000,000 people.

I do hope that the Smith amendment will be defeated. I do not say this of the man who introduced the bill, but the bill itself has been more or less steeped in the spleen of hate toward labor, and I hope the Members will defeat it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, the bill before us under consideration is Senate bill 2208. The title of the bill states "To further expedite the prosecution of the war." I dare say that no measure since I have been a Member of the House covers a wider field or is more far-reaching in the powers granted to the President than the bill before us. We are advised that this measure was worked out in its original form by the President, the Navy Department, the War Department, and other important departments of the Government, together with those who are engaged directly in the war production and in the prosecution of the war. It was introduced in the Senate and carefully considered by the Senate. It then came to the House and was referred to our Judiciary Committee. Our committee heard representatives of the Navy, War, Justice, other departments and agencies of the Government charged with the duty of providing for the defense of this Nation and the prosecution of the war.

The bill covers 16 titles. The subject treated in no one title is related to the subject treated in any other title. These several titles cover what the administration considers as the additional essential powers needed by the Government in order to expedite production and the prosecution of the war. Ordinarily the matters contained in these several titles would have been referred to several committees of the House, which, under the rules of the House, would probably consider them, but in order to expedite prompt consideration and passage of this important bill the administration deemed it in the interest of the national defense to combine all of these matters in one bill and have it considered by the Judiciary Committee of the House.

With the exception of title 8, this important measure received the unanimous approval of the Judiciary Committee. Title 8 was stricken from the bill. Let us bear in mind that this bill was worked out by the President and the other departments and agencies of the Government for the single purpose of expediting the prosecution of the war and that the bill before us has the approval, as I understand it, of the President, the War Department, the Navy Department, and every other department and agency of the Government charged with providing for our national defense and in the prosecution of our war effort.

The gentleman from Virginia [Mr. SMITH] has offered an amendment to this bill. It has provoked a great deal of discussion and controversy. The important question is, Will his amendment expedite the prosecution of the war? If it will, we ought to adopt it. We are in a great war, and everything necessary should be done to bring victory to our armed forces at the earliest moment possible. If the amendment of the gentleman from Virginia will not aid production of war supplies and will not expedite our war effort, it should be rejected.

Under our Constitution the President is the Commander in Chief of our armed forces. Congress has voted for war purposes alone since July 1, 1940, more than \$142,000,000,000 and has granted to President Roosevelt much more power than

has ever been given to any other American President in peace or in war, and acting with the President are the War Department, Navy Department, Hon. Donald Nelson, who has been placed at the head of our war production. He is ably assisted by General Knudsen, one of the great production executives of the Nation, and there are other agencies cooperating with the President.

I propound these questions to the distinguished gentleman and good Democrat from Virginia: Does the gentleman contend that the Commander in Chief of the Army and Navy is for his amendment? Does the gentleman contend that the Secretary of the Navy is for his amendment? Does he contend that the Secretary of War is for his amendment? Does he contend that Hon. Donald Nelson, who is the generalissimo in charge of war production, is for his amendment? Does the gentleman contend that General Knudsen, or any other important director, leader, or agency interested in the national-defense effort or in expediting our war effort, is for his amendment? I understand all of these important executives are against his amendment. It has been heard around here that the President would veto this important and necessary bill, if it contained the Smith amendment.

We have every reason to believe that the Secretary of War, the Secretary of the Navy, Mr. Nelson, and all of those engaged in war production efforts and in charge of our defenses are against his amendment. If the President, who is the Commander in Chief, the Secretary of War, the Secretary of the Navy, Hon. Donald Nelson, General Knudsen, and others are opposed to this amendment, there must be something wrong with the amendment. They are charged with the defenses of this Nation. They, undoubtedly, are interested in doing those things that will expedite the prosecution of the war.

As the gentleman from Virginia has intimated that he would speak after me, I should like for him to answer these important questions. If the President and those in charge of our armed forces on land and sea and in the air and in charge of our production efforts are all of the opinion that the amendment of the gentleman from Virginia will hinder rather than expedite the defenses and the war efforts of this Nation, the Congress should stop, look, and listen before taking that action. If this amendment is adopted, the bill would go back to the Senate, and to conference where it would likely provoke a long debate. Those in charge of our defenses and in our war production efforts say that this measure is of vital importance and must be passed now.

It has also been pointed out that the amendment of the gentleman from Virginia was introduced from the floor of the House. It is far reaching. It proposes to repeal many important and far-reaching laws themselves, covering a period of 50 years and involving industry, commerce, as well as labor. It may be that some steps should be taken. No committee has considered the Smith amendment. Neither the representatives of the Government, nor industry,



nor labor nor commerce have had an opportunity to be heard. None of these proposals have been carefully checked or studied by any committee. The Smith amendment involves much more than the question of hours and pay of workers.

This Nation is now engaged in the greatest, costliest, and bloodiest war in which it ever took part. We are now in the war. It is not the time or place to debate as to how we became involved in the war. The people of this Nation and its resources must now unite in the most effective effort to win the war. The interest of any particular individual or group cannot outweigh the national interest. If there are any laws upon our statute books or any conditions that can be and should be corrected by congressional action, a measure or measures should be introduced to repeal any such acts and to correct any such conditions, and then those bills should be referred to the proper committees and hearings should be held where all interested parties, including the Government, will have an opportunity to present their respective views, and the committee report such measure or measures to the House and Senate and there to be considered on their merits, looking alone to the highest and best interest of our country. I have no doubt but what the Congress would not hesitate to protect the Nation against any or all selfish interests or groups and will take the necessary action to promote production and expedite the war effort and our national defense. The American people will not tolerate the attempts of any individual or group to promote their own selfish interest as against the welfare of our Nation.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Chairman, I strongly favor the Smith amendment, and shall vote for same.

Throughout this debate I have heard statements for and against this measure, and I am forced to say that I fear the real peril facing the democracies of the world is going over the heads of many of us. Are we the guardians of the labor leaders or any other special interest, or are we guardians of the peace, liberty, freedom, and happiness of our beloved democracy? I wish this question could sink deep into the hearts of the membership of this House. The life of our democracy hangs in the very balance, we can lose this war, and if we do not depart from this schoolboy picnic philosophy, we are going to lose it. We can win, but it is going to take the best and all there is in every citizen of this great country.

I have no disposition to take any right from any laboring man, and I further realize that labor is due its rights of protection. However, the rights of labor, industry, and every American citizen is critically in peril, and we must all sacrifice now to save the future of all of us. Think of those in the automobile and oil business, they have been called upon to virtually forfeit their businesses, but they have not murmured, and why should some other class complain when they are

called upon to work more than 40 hours a week? It is perfectly ridiculous to think of winning this war on any such efforts. Germany and Japan are working 100 hours per week. Is not our cause as dear and priceless as theirs? Do not our workmen and women love our country as much as their barbarous aggressors do theirs? The great majority of labor is willing to work for this victory and want to work for this victory.

I have heard so many remarks about what happened in 1892. For this I am not responsible, as I did not discover America until 1893. I am, however, responsible for actions here now and for the future of my Nation and the rights of my people, and I shall give all there is in me toward a victory that will preserve American freedom for my children and the children of this Nation and those yet to be born. Where is the man or woman that is not willing to work more than 40 hours a week to save a Nation with all its glory, that has meant to freedom-loving people what this democracy has meant to us. I recall that the Holy Writ says in substance that we shall work 6 days and rest on the seventh, and further in substance, if the ox falls in the ditch on the Sabbath he may be taken out. If we could only realize it, something more precious than your ox is now in the ditch; the American eagle is in the ditch, and it is going to take a different type statesmanship and war effort than that so far exercised to pull it out.

Production of fighting equipment is going to be the determining factor in this war, and we have no way of knowing just how few lost hours will lose it for the democracies. Why take a chance, why not stiffen up our backs and face the issue without regard to our political future and put our Nation above ourselves? Think of the sons of our American mothers and fathers who are fighting on foreign soil not alone for the protection of democracy but for their own lives, which hang in jeopardy 24 hours a day, who are in dire need of fighting equipment. Are you willing to desert them now? Suppose they gently reposed on a 40-hour-week effort. They are either in action 24 hours a day or standing ready. How do you like to walk the streets and argue and quarrel while they are fighting for you and needing the products of your labor?

I would like to remind you that this is in no sense a repeal of any law affecting the rights of labor. It merely suspends the operation of a 40-hour week, thereby permitting employers to work its labor more than 40 hours, and labor, a majority of which is fully patriotic, to work more than 40 hours per week and thereby do its full part in our war efforts. We have sawmills in my district that took Government contracts for materials badly needed in the national defense when labor was plentiful. Their bids were made and accepted with the knowledge that they could work two shifts and not be forced to pay any overtime. Since then labor has become so scarce that they either must work overtime at time and a half—and therefore lose money on their contracts—or either shut down when 8 hours are up and thereby delay production of material badly needed at this

time. I personally know that the laborer wants to work more than 8 hours at regular pay and would gladly sign a waiver of the law if they were permitted to do so. It is more than ridiculous that this House is not only willing but anxious to suspend the operation of this law through the duration, and this is all the amendment seeks to do.

I appeal to every Member of this House to rally to the support of our cause and vote for this amendment.

I want to say to you and to the people of the Nation that, if we do not wake up and realize that we have got something besides a grand, sweet song to sing, we may wake up with the flag of Germany and of Japan floating over your country and mine. I do not believe the American people, with all the glorious traditions behind them, will tolerate or think about tolerating winning the war against the powers we have got to fight on a 40-hour week. Such a thought all but nauseates me.

Let me remind you in conclusion that the Stars and Stripes were not hoisted over free America on a 40-hour-per-week basis, and that she will not continue to float on free air on such a basis.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Chairman, this amendment is so framed that I feel it may work most unfairly. For instance, the War Department has between 60,000 and 70,000 employees in its manufacturing arsenals. At Springfield, Mass., in the famous armory which is producing the Garand rifle, there are more than 8,000 of such per diem employees. Under the present law, they may work up to 48 hours a week. They can work 40 hours on straight pay and the 8 hours overtime at pay and a half. They are not limited to 8 hours in any one day, but they are limited to 48 hours in any one week. If the Smith amendment is adopted, I am advised by an official in the War Department that it is very likely these employees would find themselves in the position where they might be called upon to work more than 40 hours a week, perhaps only 48, or perhaps 60, but they still would be limited, in all probability, to straight pay and no overtime.

These 8,000 employees of the Springfield Armory are very patriotic American citizens. I think the recent report of Gen. Douglas MacArthur on the effectiveness of the Garand rifle in the Philippines shows best of all the kind of product they are turning out.

In the same community there are thousands of other people employed in similar types of work. They, through their union contracts, are in a position to secure overtime pay, time and a half, or even double time under certain conditions, when they work over the stipulated number of hours a week, usually 40 hours, even though this amendment is adopted. I feel that it is very unfair that in one community or, for that matter, throughout the United States, persons who happen to be employees of the arsenals of the War Department should find themselves in a position where they will not be given the same kind of treatment as employees

in private industry will get. Their unions cannot demand from the Government, and they cannot strike for better wages. In fact, they would not think of striking. They are upholding a most honorable, century-old tradition. Their representatives confer with the armory officials as occasion demands. They are meeting schedules regularly in production of the Garands. They are entitled to the same treatment as all other Americans. This amendment discriminates against them. I shall, therefore, vote against its adoption.

Mr. BURDICK. Mr. Chairman, I rise to make this short observation, which will not take 2 minutes: If we should pass the Smith amendment today, we will be doing exactly what the French Nation did before their defeat by Germany. It will be recalled that we read that labor organizations in France were squelched before there was any defending done against the German Army. If you think that is the way to get patriotic service from labor in America—to abolish all of the laws that they have gathered throughout the last 50 years for their own protection and brand labor as unpatriotic—then I say you are taking a step which, in my judgment, will lead to a slack defense when we need from unions nearly everything this country possesses.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. Yes.

Mr. WHITE. Is it not a fact that when the railroad men struck in France to improve working conditions the nation called them to the colors and told them as an army to run the railroads and break the strike?

Mr. BURDICK. In any event, the action against labor in France defeated the French Republic.

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record on the Smith amendment.

The CHAIRMAN. Is there objection? There was no objection.

Mr. ANGELL. Mr. Chairman, we are now in the midst of a devastating war, world-wide in its scope, which threatens to destroy not only our own liberties and our country but civilization itself. Under our Constitution our President is the Commander in Chief of our Army and Navy and the directing head of all our fighting forces. In every war in which this country has been engaged, beginning with the War of the Revolution, we have lodged absolute and complete control and authority in the President as Commander in Chief. It would be impossible to carry on successfully an enterprise such as the one in which we are now engaged without delegating to the Commander in Chief the power to direct our war activities. We have already passed one bill extending these war powers to the President.

We now have before us S. 2208, known as the second war-powers bill, which has for its purpose to further expedite the prosecution of the war, to accomplish which broad and all-comprehensive powers are placed in the hands of the President. In peacetime it is true we would not tolerate the abdication of Con-

gress by the surrender of controls which logically should be retained by it. Now we are in war. We must govern ourselves accordingly. We cannot haggle, debate, and procrastinate over what should be done with respect to acts which are necessary to bring success to our arms. We must lodge the power of decision over these matters in this critical hour facing us in our Commander in Chief.

For my own part I determined my course on December 7 last when the war was thrust upon us by the cowardly acts of the Japanese in their attack upon Pearl Harbor while professing to be negotiating for peace. I determined then that everything that lay within my power I would do to help to defeat our enemies who are seeking to crush us. I determined then that in order to successfully prosecute the war we would have to clear the decks for battle, lay aside all differences which would in any way interfere with carrying out our war efforts, and lodge supreme and complete power in our Commander in Chief to bring to bear every resource we possess to the one end of winning the war. The determination I made on December 7 I shall endeavor to maintain until our efforts are successful.

This bill now before us, it is true, is an omnibus bill covering 16 titles, each of which is separate and distinct, all of which, however, have to do with the one undertaking to further expedite the prosecution of the war. These war powers which by the bill are lodged in the President as Commander in Chief, are the result of the labors of all the department heads of the Government having to do with the prosecution of the war. They have been meticulously examined and determined upon as the powers that are necessary to aid in the prosecution of the war. They have not only had the approval of the legal department of the Government but of the War and Navy Departments and others and in addition they come to us with the approval and recommendation of the Commander in Chief himself. The powerful Judiciary Committee of the House has given full consideration to these recommendations and the bill now comes before us with the approval of that committee.

Mr. Chairman, for my own part I feel duty bound to give my full support to this bill embodying as it does the combined recommendations of these key departments of our Government and the President. To do less, I would violate my fixed determination to do everything within my power to uphold the President in meeting the grave responsibilities resting upon him as Commander in Chief of our fighting forces.

Mr. Chairman, we now have presented for consideration the so-called Smith amendment offered by the gentleman from Virginia [Mr. SMITH] which embodies the provisions of H. R. 6616. This amendment, if enacted, would suspend during the national emergency 17 laws heretofore enacted by the Congress having to do with hours, wages, overtime, and other provisions for the protection of labor. These provisions have not come to us with the recommendation of the Judiciary Committee and do not

constitute a part of the recommendations of the Departments of War and Navy and others in charge of our war efforts. Furthermore, the amendment is disapproved by the President and therefore does not constitute a part of the war program designed to expedite the prosecution of the war efforts as promulgated by those having the matter in hand. These 17 suspensions of the protective measures heretofore enacted have not been the subject of hearings or examinations by the committee with a view to determining their full scope and the result that might follow from this wholesale suspension of these enactments. The hardships that would follow the suspension of these laws would fall most heavily on nonunion employees who constitute the greatest number of the laboring public. Union employees both A. F. of L. and C. I. O. have their hours of labor, pay, and other working conditions fixed by contracts entered into as a result of their bargaining rights.

In order to win the war we must maintain complete and sincere unity of purpose among all the forces of our Nation necessary for the prosecution of the war. Capital, labor, and the general public must join hands wholeheartedly in a sincere and honest effort to work together in unison to bring about the fullest production in all of our war activities. Everything else must be subordinated to this one effort. Without the full cooperation of labor we cannot hope to be successful. The adoption of this amendment with its far-reaching consequences in this critical hour of our Nation's fight to preserve its life would be ill-advised, in my judgment. Particularly so is this true when to adopt it would be against the recommendations of all those whom we have placed in charge of our war efforts and in direct opposition to the desires and wishes of the President himself as Commander in Chief, charged with the duties of bringing our productive processes to full capacity.

Mr. Chairman, I urge that we adopt S. 2208 without amendments, except clarifying ones and those recommended by the committee, to the end that the prosecution of the war may be carried forward without interruption and that production may be increased to the fullest extent, so that our fighting forces on the far-removed battle front may be implemented with every instrument and tool for the prosecution of the war that lies within our power to give to them. Let us all join hands in the one supreme effort in this grim hour confronting our Nation to the end that this devastating conflict may be brought to a successful determination at the earliest possible time.

Mr. WHITTINGTON. Mr. Chairman, I have an amendment, which I am sending to the desk, and I ask to have it reported for information at this time.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

Mr. WHITTINGTON offers the following as a substitute for the pending amendment:

"TITLE IV—A

"That during the national emergency declared to exist by the President on May 27, 1941, the following provisions of law, as amended, except to the extent that they are



applicable to employers and employees, performing work which the President finds and by order declares is not necessary for the prosecution of the war"—

Mr. WHITTINGTON (interrupting the reading). Mr. Chairman, the remainder of the amendment is an exact copy of the Smith amendment. I ask unanimous consent that the further reading be dispensed with at this time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, do I understand that this is offered as a substitute?

The CHAIRMAN. The amendment is read only for information, and will later have to be offered if it is desired to have it considered.

Mr. WHITTINGTON. Mr. Chairman, the pending motion is the Monroney amendment. The Monroney amendment provides—and I quote:

In plants determined by him to be vital to the production of war supplies, the President may suspend—

And so forth. The amendment that I propose is really a substitute for the Monroney amendment; and instead of providing that the President may suspend the hours, days, or weeks of labor, the amendment I propose automatically suspends by the adoption of the Smith amendment those days, hours, and weeks and gives the President of the United States the authority to declare what work is not necessary to the prosecution of the war by excepting such work from the Smith amendment—and I quote my amendment:

Except to the extent that they are applicable to employers and employees performing work which the President finds and by order declares is not necessary to the prosecution of the war.

In a word, the Smith amendment, which has been analyzed by the remarks of the gentleman from Virginia, as shown by the CONGRESSIONAL RECORD of February 25, 1942, page 1650, suspends only the days, weeks, and hours of 17 acts, including the Communication Act, as amended, which has reference to the hours of radio inspectors, and including the Puerto Rico Act affecting only Government work in Puerto Rico.

I am delighted that the gentleman from Massachusetts [Mr. CASEY] has said that the Smith amendment can do no injustice to organized labor. The amendment provides that the two acts where we gave the President the right to suspend until June 30, 1942, shall be continued until December 31, 1944, and provides, not for the repeal but for the suspension as respect hours and days and weeks of each of these 17 acts that have to do either with defense construction or with Government work, and that they shall be suspended for the duration of the war.

I am glad to know that the gentlemen who spoke from districts where there is organized labor say that these amendments can do them no injustice. I believe we can depend upon it that if they do not do any injustice to organized labor

they will not do any injustice to unorganized labor.

I believe in the man who toils; I favor collective bargaining. My sympathies are with the laboring man. I believe, however, that labor has been imposed upon by designing and selfish leaders. This does not apply to all labor. At heart labor is sound.

Again, I believe that labor has in many instances been under subversive influences. Labor is not altogether to blame. The country is demanding that labor free itself from undesirable leaders and undesirable influences. The purpose of the Smith amendment is really to free labor.

I extend to say that, while I have opposed wages-and-hours legislation generally, I have done so in the conviction that it was for each State to determine the regulations for that State. I have opposed sweatshops and child labor, and I have advocated a square deal for labor, both organized and unorganized.

I repeat that I was glad to hear the gentlemen representing districts where there is much organized labor, including the C. I. O. and the A. F. of L. organizations, say that the Smith amendment would have no effect on them, that they would be uninfluenced by the passage of the Smith amendment. They state that organized labor is protected by contracts that will run along for some time. The complete answer is that if organized labor is not affected they have no complaint with respect to the Smith amendment. The further answer is that if organized labor is not affected, certainly unorganized labor is not injured. The fact is that none of the real rights of either organized or unorganized labor is invaded by the pending amendment. No legislation against sweatshops and child labor, and no similar legislation is involved.

It is no time for quibbling. A question was asked as to what section and paragraph of the Communications Act of 1934, as amended in 1941, was involved. Members of Congress have received full notice; they know what provision of the Communications Act is involved. The gentleman from Virginia [Mr. SMITH] was careful to state that the pending amendment was prepared by the drafting service and he was careful to state that the analysis of the amendment and that the statutes affected by the amendment have been placed in the CONGRESSIONAL RECORD in connection with his speech of February 25, 1942, and a full analysis appears on page 1650 of the RECORD. The only part of the Communications Act, as amended, that is affected involves the compensation for radio inspectors. They are Government employees.

Another question was asked with respect to the statute of March 3, 1917, respecting the government of Puerto Rico. The analysis of the bill shows that it refers to the 8 hours with respect to the employment by the Government on public works. If the United States is to pay for work in Puerto Rico during the war, the workers should cooperate and work longer hours, if necessary.

Every one of the 17 laws and the provisions of the laws were set forth in the CONGRESSIONAL RECORD of Wednesday, February 25. He who runs should have known just what provisions are suspended.

All of the 17 acts referred to involve hours, days, or weeks of labor, and only those provisions of the acts involving hours, days, or weeks and involving Sundays or holidays or nights and involving payment for time-and-a-half overtime are suspended. All of the statutes have to do with either defense plants or with Government works.

The act of October 10, 1940, prohibiting more than 8 hours upon work covered by Maritime Commission contracts stipulates that the provision terminates on June 30, 1942. One of the first general war-power bills, known as the act of June 28, 1940, authorizes the President to suspend for the War and Navy Departments and the Coast Guard the provisions of the act respecting 8 hours' labor, and the act stipulates that it shall terminate on June 30, 1942.

If it be unfair to labor, either organized or unorganized, to pass the pending Smith amendment, it was unfair to pass the acts, from which I have just quoted, in 1940. There is nothing new about the principle. If it were necessary to suspend in 1940 to prepare for war, it is a great deal more necessary to suspend in 1942 to win the war.

There is another reason for the suspension provided in the pending amendment. One of the statutes at least prohibits more than 30 hours in any one week under loans furnished by the Reconstruction Finance Corporation. Taxpayers must foot the bill. Others of the statutes only involve the suspension of the 8-hour day in emergencies. No reference is made to the 40-hour week.

The amendment contemplates the statutory suspension of the provisions in any of the laws and they do occur in several of the acts, that require payment of time and a half for overtime and for holidays and for nights.

Such provisions were inserted in the act for peacetimes. They are not repealed; they are only suspended for the wartime. If soldiers can fight longer than 8 hours a day or longer than 40 hours a week, laborers should be willing to work longer.

There must be no misunderstanding. The amendment does not prohibit the payment of time and a half for overtime; it does not in any wise prevent collective bargaining; it leaves the employees free to bargain collectively; it leaves unorganized labor just where it is. There is no discrimination between the two.

Some of the 17 statutes, I repeat, refer to 8 hours. They do not refer to the 40-hour week. Some of them make no reference to time and a half for overtime. The real purpose of the pending amendment is to provide for the abolition of the 40-hour week in war industries. Wages are not involved—only hours, days, and weeks are involved in this amendment. It is intended to apply to defense indus-

tries. Such is the purpose of the Monroney amendment.

I believe it is time for Congress to speak up. Under the Monroney amendment it would be for the President to suspend the hours, the days, and the weeks laws in defense plants. Congress should not straddle any longer. If it is sound for the President to suspend, it is equally sound for Congress to suspend.

While I have opposed wages-and-hours legislation, my activities in the pending amendment are directed toward production in national-defense industries. If by any construction any part of the 17 acts that are involved relates to manufacturing or to industries that are not engaged in the production of war supplies, they are not involved, but to make assurance doubly sure and to present the concrete question to Congress and to abolish the 40-hour week in defense industries, I believe that it would be better to substitute for the Monroney amendment, which authorizes the President, in plants determined by him to be vital to the production of war supplies, to suspend the hours and the days, and in lieu of that to amend the Smith amendment by providing that the Smith amendment shall not be applicable to any employers or employees performing work which the President finds, and by order declares, is not necessary to the prosecution of the war. While I favor the Smith amendment, I shall, therefore, propose in due time the Smith bill with the proposed amendment; or, if the Monroney amendment is defeated, I will offer an amendment to the Smith bill, excepting from the suspension and making the Smith amendments inapplicable to employers and employees performing work which the President finds is not necessary to the prosecution of the war.

Labor is patriotic; labor wants to work longer than 8 hours when necessary. Labor wants to work longer than 40 hours a week when necessary. Labor is willing to work on holidays. I believe that if soldiers are not paid time and a half for overtime, labor will be willing to work, or at least will be satisfied with the right to bargain collectively as to overtime.

The question before the House is the passage of legislation to promote the winning of the war. I know of no better way to aid in that great objective than in freeing labor from subversive influences, undesirable leadership, and leadership that may contribute to depriving labor of many of the gains it has obtained.

The real purpose of the Smith amendment is to save labor, organized and unorganized, from those who would sacrifice labor to promote their selfish ends.

Those who oppose the Smith amendment have admitted that organized labor will be deprived of no rights because there is nothing to prevent collective bargaining. They ask, however, for the defeat of the pending amendment on the ground that they will prejudice unorganized labor. I believe that those who make these statements are unconsciously influenced by their partiality for organized labor. The best proof I can offer of this statement is that those who said it would injure unorganized labor have failed to

mention or to describe a single provision of the pending amendment that will injure or destroy a single right of unorganized labor. I repeat that if it will not interfere with the rights of organized labor, it will not interfere with the rights of unorganized labor.

I put country above labor, either organized or unorganized. No man has denounced the profiteer more than I. No man has denounced the corrupt contractor more than I. I have advocated legislation to curb excessive profits to contractors. I wish there were such legislation in the pending bill. The amendment deals with labor. Other bills cover contracts and cover taxes. I will continue to vote to eliminate the racketeer, whether he be a contractor or whether he be a labor leader. I will continue to vote to curb the racketeer, whether he is a capitalist or whether he is a so-called labor leader.

I believe in the rights of labor. I am always sympathetic with those who toil, but I will continue whenever and wherever I can to eliminate the racketeers who would destroy the gains and rights that labor has attained.

My purpose in offering the amendment to the Smith amendment is to promote the passage of the substance of the Smith amendment, and the real purpose of that amendment is to abolish the 8-hour day and the 40-hour week for the duration of the war.

If any oppose the real purpose of the amendment on the ground that collective bargaining would be affected, or if they oppose it on the ground that they favor time and a half pay for overtime work, then I suggest that an amendment would be in order to state definitely that collective bargaining is not affected or an amendment to strike out the provisions that would suspend payment of time and a half for overtime. The remedy is not to defeat an amendment that will enable labor to produce. The remedy is to perfect legislation that will enable Donald Nelson, charged with production, to have defense plants work on holidays.

I believe that our soldiers are just as patriotic as our workers. We have drafted soldiers; we did not depend on volunteers. If we can draft soldiers, if we have not depended on volunteers for the armed forces, we can legislate, and we should legislate, to suspend the 40-hour week for the duration of the war.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] is recognized.

Mr. SMITH of Virginia. Mr. Chairman, the gentleman from Mississippi [Mr. WHITTINGTON] has just offered a substitute for the so-called Smith amendment. As I understand the parliamentary situation, before that substitute can be voted upon we must first vote upon the various pending amendments and the amendments which have been read for information. After the Smith amendment has been perfected—if I may use that expression—then the substitute offered by the gentleman from Mississippi will be in order without further debate. Have I stated it correctly, Mr. Chairman?

The CHAIRMAN. Does the gentleman make that statement as a parliamentary inquiry?

Mr. SMITH of Virginia. Yes, Mr. Chairman.

The CHAIRMAN. The Chair invites attention to page 6 of Cannon's Precedents, where a diagram appears, that clearly shows the parliamentary situation. An amendment is in order. An amendment to the amendment is in order. A substitute for the amendment is in order, and an amendment to the substitute. All those can be pending at one time, but any other would be in the third degree.

Mr. SMITH of Virginia. As far as I am concerned, the Whittington substitute is entirely agreeable to me. The effect of it is that it suspends these same laws, but it leaves in the hands of the President the power to exempt from that exception any industry that he regards as not essential to national defense.

Now, Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Virginia. Can the Whittington substitute be offered and voted upon before the others are disposed of?

The CHAIRMAN. If the amendment is offered as a substitute for the pending Smith amendment it can be offered, but the amendment to the amendment, such as the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY] would be voted on first before the question would recur on the substitute for the pending amendment.

Mr. SMITH of Virginia. Then after all these amendments are voted on the Whittington substitute would be voted upon?

The CHAIRMAN. If it is offered it would be voted upon next preceding the vote on the gentleman's amendment.

Mr. WHITTINGTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. Under the parliamentary situation, is it not true that I am precluded from offering the amendment which I propose to the original Smith amendment, as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY]?

The CHAIRMAN. The gentleman is correct in that no amendment to the amendment offered by the gentleman from Oklahoma is in order, because it would be in the third degree.

Mr. WHITTINGTON. For that reason I did not offer it as an amendment to the amendment.

A further parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WHITTINGTON. I have announced that I propose to offer that as an amendment. Is it not true that in the event the Monroney amendment is rejected by the committee, then it would



be in order for me to offer this amendment as an amendment to the Smith amendment?

The CHAIRMAN. The gentleman is correct.

Mr. WHITTINGTON. And that I propose to do.

Mr. MURDOCK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MURDOCK. I have a substitute for the Smith amendment. In what order is it presented?

The CHAIRMAN. It would be in order to be offered at any time before action on the Smith amendment is taken.

Mr. MURDOCK. Mr. Chairman, I have a substitute amendment for the Smith amendment which is at the desk, and if debate is closed I would like to have the Clerk read it.

The CHAIRMAN. Debate is not closed because there are two more names on the list.

Mr. DONDERO. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONDERO. Would the amendment proposed by the gentleman from Arizona [Mr. MURDOCK] be in order before the amendment offered by Mr. MONRONEY is voted on?

The CHAIRMAN. It could be offered, but it would not be voted on before the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY]. But it is not offered as an amendment to the Smith amendment. I understand it will be offered as a substitute for the Smith amendment.

Mr. POWERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. POWERS. If the Monroney amendment is adopted, will there be a vote on the Smith amendment?

The CHAIRMAN. Yes. Action cannot be taken in the House without the House voting, except by unanimous consent.

The Chair would like to make an inquiry. There are two other names appearing on the list, the gentleman from Texas [Mr. SUMNERS] and the gentleman from Nebraska [Mr. McLAUGHLIN]. Do both gentlemen seek recognition?

Mr. SUMNERS of Texas. I do not seek recognition, Mr. Chairman.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. McLAUGHLIN] for 5 minutes.

Mr. McLAUGHLIN. Mr. Chairman, I think it would be well for us in passing on this amendment to consider the circumstances under which the bill comes before us.

We are at war. The President of the United States is the Commander in Chief of the armed forces of our Nation. He is the Commander in Chief of those on the left side of the aisle as well as of those on the right. The President of the United States requested certain changes in existing law for the purpose of expediting our war efforts. Our effort is devoted to the winning of this war. Unless we win this war there will be no parties, there will be no capital, there will be no labor, there

will be no agriculture. Unity is essential to the winning of this war. This bill came before the subcommittee of which I am chairman under those circumstances. Hearings were had, and on both sides of the aisle in the subcommittee and in the full Committee on the Judiciary the views and expressions of the President were listened to respectfully and patriotically.

This provision that comes before us today in the form of an amendment which will have the effect, the far-reaching effect, of changing drastically 17 laws, dating back as far as 1892, was not before the subcommittee or the full Committee on the Judiciary. Hearings were had on the other titles but not on this. I do not think this is a partisan thing; I do not think this is a thing in which we need consider anything but our patriotic duty as Americans.

I think we should give regard—Democrats, Republicans, and Independents—to the views and wishes of the Commander in Chief of the armed forces of the United States and pass this bill as it has been recommended with such suggestions in the titles which are submitted as we deem proper, but I do not believe, as chairman of the subcommittee which conducted these hearings, that it is in line with proper procedure and that it is going to effectuate unity or forward our war aims to come into this House without a word of hearings from anyone in the Army, the Navy, the President himself, or his advisers, or those who are delegated by him, and attempt to legislate on the floor of the House. I think if we are going to approach the question involved in the Smith amendment, we should do it in an orderly way, and that we should have the advice and counsel of those who are primarily charged with the responsibility of conducting this war. Let us remember that we are at war. Let us remember that this Nation is in peril. When we vote on this amendment we should consider the views of those who are primarily charged with the responsibility of the war. We have not had the benefit of their views. For this reason I do not believe the Smith amendment should be adopted, or any proposal in substitution for it.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Chairman, I ask unanimous consent that as each amendment is voted on the Clerk may read it so that we may have it clearly in mind and not be confused.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will again report the amendment offered by the gentleman from Oklahoma [Mr. MONRONEY].

The Clerk read as follows:

Amendment offered by Mr. MONRONEY: Page 1, line 9, after "as amended", strike out the remainder of the line and insert "may be suspended by the President in plants determined by him to be vital to production of war supplies, insofar as they—"

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma to the amendment offered by the gentleman from Virginia.

The question was taken; and on a division (demanded by Mr. MONRONEY) there were ayes 83 and noes 162.

So the amendment was rejected.

Mr. WHITTINGTON. Mr. Chairman, I offer an amendment. This is the same amendment that has been reported, but I now offer it independently.

The Clerk read as follows:

Amendment offered by Mr. WHITTINGTON to the amendment offered by Mr. SMITH of Virginia: On page 1, line 9, after "amended", insert "except to the extent that they are applicable to employers and employees performing work which the President finds and by order declares is not necessary to the prosecution of the war."

The CHAIRMAN. All debate on the amendment is exhausted. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

Mr. MURDOCK. Mr. Chairman, I offer a substitute for the Smith amendment.

The Clerk read as follows:

Amendment offered by Mr. MURDOCK as a substitute for the amendment offered by Mr. SMITH of Virginia: On page 12, after line 11, insert:

"Notwithstanding any other provision of law the President is hereby empowered and directed, when necessary to speed war production for national safety, to suspend any provision of existing law pertaining to hours of labor in defense industries for the duration of the war."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. MURDOCK] to the amendment offered by the gentleman from Virginia [Mr. SMITH].

The amendment to the amendment was rejected.

Mr. McGRANERY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McGRANERY. Mr. Chairman, in view of the fact that I have sent to the Clerk's desk an amendment, and in view of the statement made by the distinguished chairman of the Subcommittee on the Judiciary and the vote just taken, I do not desire to press my amendment at this time. Will it be necessary for me to obtain unanimous consent to withdraw that amendment?

The CHAIRMAN. It is not, because the amendment has not been offered. It was read for information only.

Mr. McGRANERY. I may say, Mr. Chairman, that I will not offer it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

The question was taken; and on a division (demanded by Mr. SMITH of Virginia) there were—ayes 62, noes 226.

So the amendment was rejected.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: Immediately following title IV insert a new title as follows:

"Title IV (a) relating to eligibility for the benefits of the Civil Service Retirement Act and the preservation of the credit of the

Government to facilitate the prosecution of the war.

"That the Civil Service Retirement Act of May 29, 1930, as amended, shall not apply to any officer or employee of the United States or of the municipal government of the District of Columbia in a class or position which was not within the purview of such act of May 29, 1930, as amended, on January 23, 1942."

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. May I inquire, Mr. Chairman, whether or not that amendment is to be inserted after title IV (a) which was just defeated, or title IV?

The CHAIRMAN. The Chair understands it is offered as a new title to follow title IV.

Mr. McLAUGHLIN. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. Does the gentleman from Ohio [Mr. SMITH] desire to be heard?

Mr. SMITH of Ohio. I do, Mr. Chairman.

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. SMITH of Ohio. Mr. Chairman, the purpose of S. 2208, as stated in the title, is "To further expedite the prosecution of the war."

There are 15 titles in this bill, not 1 of which is related to any of the others.

Perhaps the most germane part of this whole bill to its objective is title IV. This is specifically designed to preserve the credit of the Government. The debates relating to it clearly show that it is intended to provide a reserve market for Government securities. Under this title the Treasury is supposed to use the powers granted in it only in emergency—when there may be danger of a falling market for Government securities.

Now, my amendment is also specifically designed to safeguard the credit of the Government. It seeks to save to the taxpayers, and therefore to the Treasury, \$44,000,000 annually by repealing the provision in the Ramspeck Act which sets up pensions for 250,000 political job holders drawing salaries up to ten and twelve thousand dollars a year.

What possibly could be more necessary to prosecute this war than to protect the credit of the United States Treasury? It is unqualifiedly the most-needed thing in the United States today to prosecute this war. We have not got a dime to pay pensions to political job holders. We need every penny we can rake and scrape together to buy guns, planes, tanks, and ships.

I therefore submit, Mr. Chairman, that my amendment is germane to the purpose of this bill.

The CHAIRMAN (Mr. COOPER). The Chair is ready to rule.

The gentleman from Ohio [Mr. SMITH] offers an amendment which is sought to be included as a new title to the pending bill. The gentleman from Nebraska [Mr. McLAUGHLIN] makes a point of order against the amendment on the ground it is not germane.

The Chair has examined the amendment offered by the gentleman from Ohio [Mr. SMITH], and in that connection in-

vites attention to a part of the ruling of the Chair made yesterday on a point of order made at that time, as follows:

Therefore the Chair is of the opinion that the only proper and reasonable test that can be applied in a situation of this kind is the subject matter and the purpose covered by the pending bill and the pending amendment. The purpose of the pending bill is to further expedite the prosecution of the war.

The amendment offered by the gentleman from Ohio [Mr. SMITH] has to do with the Civil Service Retirement Act of May 29, 1930, as amended, and would affect the domestic employees of the Government. Certainly there is nothing in the pending amendment to indicate to the Chair that it is related to the subject matter covered by the pending bill.

The Chair is of the opinion it is not germane to the pending bill and sustains the point of order.

Mr. KEOGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEOGH: On page 12, after line 11, insert a new title, as follows:

"TITLE IV (A). The President shall have the power to deal with each of the titles of this bill as if each title were a separate bill, as is provided by article I, section 7, of the Constitution."

Mr. KEOGH. Mr. Chairman, while I appreciate that perhaps the necessity for this amendment is not as cogent as it might have been if the events of the last 15 minutes had turned out differently, I should, however, like to submit for the earnest consideration of the Committee this amendment, since it embraces a principle of legislating that has been long advocated by serious students of government, and which, in fact, has been adopted by 39 of the 48 States.

If this House earnestly seeks to implement by the pending bill the prosecution of the war, it must, I respectfully submit, give serious consideration to the principle involved in this amendment. The various titles embraced in this bill are in fact separate bills. The bill seeks to confer upon the Executive such supplementary power as he deems necessary to carry out his constitutional responsibility. That is his and not our primary responsibility. We should not, therefore, present to him such a comprehensive bill as the one under consideration and compel him to accept it or reject it in toto. We must not assume in this connection to invade the Executive's prerogatives. Above all, we should not attempt to include within the bill additional matters about whose merits there may be any doubt.

This bill, being in reality 16 separate and distinct bills, we should as a result recognize that fact, and we can recognize it by including here the well defined and recognized principle embraced in the amendment. Our sole objective should be, as stated in the title of the bill, further to expedite the prosecution of the war. This objective should never be lost sight of by any branch of the Government or by any segment of the people.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. KEOGH. I yield to the gentleman from New York.

Mr. HANCOCK. I wish the gentleman would tell us where he finds the constitutional authority for this amendment.

Mr. KEOGH. I would be very happy to refer the gentleman to the very distinguished chairman of the House Committee on the Judiciary, who on May 5, 1937, submitted an informal opinion to the then Speaker. It seems to me that the crux of the constitutional question would turn upon the fact that the various titles of this bill are separate and distinct and, in fact, constitute separate bills.

MAY 5, 1937.

Hon. WILLIAM B. BANKHEAD,  
Speaker, the House of Representatives,  
Washington, D. C.

MY DEAR MR. SPEAKER: You will recall that the other day when we were discussing your suggestion that I prepare a proposed amendment to the Constitution authorizing the President to veto separable items in appropriation bills, I suggested that it might be worth while to consider whether such power may not be exercised without amending the Constitution.

I have been able to examine only the text of the applicable provisions of the Constitution. I have some familiarity with the historical background, none with the precedents, decisions, etc. But the purpose and plan are so clearly revealed by the text of the Constitution that an examination of precedents and decisions is unnecessary to the formation of a tentative opinion which I am transmitting for your consideration.

It is my opinion that the word "bill," which is the key word in the text, insofar as the instant question is concerned, should have a construction not more narrow than the separable items in the bill, I mean items which might have been the subject matter of separate bills. I do not hold this word may not be given even a more liberal construction, but I am willing to go as far as separable items without any further explorations. If I should find contrary decisions, etc., I would not be able to agree with them though I might be compelled to abide by them.

I have no hesitancy in saying that the purpose and plan of the Constitution would be carried out by the construction which I have indicated, and that it is not carried out by the present construction. The present construction makes it necessary to veto an entire bill in order to give to the Congress the benefit of the President's objection to a single item in that bill. On the other hand, it compels the President to give official approval to an item which he does not approve in order to avoid vetoing the whole bill, some provisions of which he may consider very important.

The plan of the Constitution in its entire concern is that proposed legislation which has received congressional endorsement shall become law when the President shall examine and approve it; and if it be disapproved, the judgment of the Congress be taken again in the light of the President's objections, which judgment is to be expressed by a two-thirds vote of the Houses of Congress. It is a part of the plan that legislation which the Houses of Congress and the President, as a matter of fact, approve become law as soon as their minds meet and the formalities of the Constitution are complied with. Permitting official approval by the President of that which is agreed to and disapproval of that to which he objects would be in harmony with the plan and purpose of the applicable provision of the Constitution. Any construction of the word "bill" which compels the President officially to approve that which he does not approve in order to avoid striking down the whole bill, or, on the other hand, to strike down the whole bill in order to reach items he does not approve, is a construction contrary to this plan.



No accepted rule of constitutional construction makes it incumbent upon effectuating officers so to construe this word "bill" as to compel them to violate the clear purpose and plan of the Constitution. The "bill" to be returned with objections means not the entire number of separable legislative items assembled under one caption, but any of the items assembled under that caption which it is practical to isolate and make the object of Executive disapproval.

This, you understand, is a tentative opinion. I am asking a couple of members of the Judiciary Committee to examine further into the matter. As soon as they shall have completed the examination and a conference is had, I shall advise you further.

With kind personal regards,

Sincerely yours,

HATTON W. SUMNERS.

Mr. HANCOCK. The titles in this bill are not separate bills any more than the items of an appropriation bill.

Mr. KEOGH. The closest analogy that I think I might call to the gentleman's attention is an omnibus claims bill, where this House votes upon the omnibus bill and, under the rules of the House, on the passage of that bill it is dissolved into its separate titles. I feel, however, that this is not the time nor the place to argue the constitutionality of this provision. I am certain there are students of constitutional law here who will concede that this is a principle which comes squarely within our Constitution and has long been advocated, especially with respect to appropriation bills.

Mr. HANCOCK. I may say that omnibus claims bills consist of titles originally introduced as individual bills and under the rules are considered as one bill, but that is only for the purpose of expediting and facilitating action in the House. After the House has acted upon them, they are divided into the separate bills they were originally.

Mr. KEOGH. I do not mean to get into a lengthy colloquy with the gentleman, but actually that has been the practice which has been incorporated in this bill. The 16 separate titles would have gone to upward of 10 of the standing committees, but for the purpose of expediting the consideration of this bill they have been embraced within this omnibus bill, which was referred to the Committee on the Judiciary.

Mr. HANCOCK. It may be bad practice, but all these titles are embraced in one bill. They have not been considered separately. Under the Constitution the President can only sign it or return it with his objections.

Mr. KEOGH. I question the validity of that statement, but I do not mean to be impolite.

Mr. HANCOCK. I refer the gentleman to article I, section 7, of the Constitution.

Mr. KEOGH. I refer the gentleman also to a statement that appeared in the CONGRESSIONAL RECORD of January 14, 1938.

Certainly we should follow no course, at the moment, other than to work in complete harmony with our Commander in Chief. We should go further and assiduously avoid in any way interfering or

restricting the war policy of our Government.

The legislative procedure adopted in the pending bill might tend to run counter with the fast-changing events of these days.

Vesting authority in the President to consider the titles of this bill, as if each were a separate bill would, it seems to me, be sound legislating and urge that the committee will give careful, complete, and I hope, favorable consideration to the amendment I have proposed.

Mr. WOLCOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on yesterday this committee did a thing which apparently it did not intend to do. At the proper time I expect to offer an amendment to correct the error which was made yesterday.

According to the debate on the amendment offered by the gentleman from Virginia [Mr. SMITH] to title IV, it was clearly the intention of the committee to restrict the amount of bonds and other obligations which the Federal Reserve might buy directly from the Treasury to \$5,000,000,000. Because that amendment was inserted in the wrong place, it is very apparent that what we did do, unwittingly and unconsciously, was to restrict to \$5,000,000,000 the amount of bonds and other obligations which the Federal Reserve could buy either in the open market or from the Treasury. What we did in fact, apparently, was to confine the financing of this war to \$5,000,000,000. I do not think that was the intent of the committee.

This shows the difficulty of trying to amend bills of this nature hurriedly on the floor of the Congress. Of course, this gives weight to the argument that this provision should have been given several days of hearings before it was ever reported by the committee in the first place.

Now, I expect to offer an amendment at the proper time to insert the language in its proper place, which would be following the quotation marks and the period at the end of the sentence, on page 11. The amendment will be to add a proviso that the total of all holdings purchased by the Federal Reserve directly from the Treasury of the United States should not exceed \$5,000,000,000. If that is accepted, as it should be to clear up the error, then I shall ask unanimous consent that the language adopted yesterday and inserted in an incorrect place following the word "interest" may be stricken from the bill. I hope it will be accepted, because it apparently was the intent of the committee to do that very thing yesterday.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. CASEY of Massachusetts. Is the gentleman offering that amendment now?

Mr. WOLCOTT. No; I say I shall offer it at the proper time.

Mr. CASEY of Massachusetts. I think the gentleman is absolutely correct.

[Here the gavel fell.]

Mr. STEAGALL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman from Michigan [Mr. WOLCOTT] has very correctly stated to the House just what is involved in the amendment that was adopted on yesterday. I will say that, like other Members of the House, I had not read the amendment until after it was adopted. I went to the Speaker's desk and found that instead of fixing a limitation upon the amount of bonds which the Treasury might sell direct to the Federal Reserve banks, the limitation applied to all obligations that might be purchased by the Federal Reserve banks.

Now, what is the situation? There is very little difference between what we did yesterday and what will be done if we adopt the amendment that has been suggested by the gentleman from Michigan. Already we have something like \$50,000,000,000 of direct Government obligations; in addition to that some twelve or fifteen billion dollars of indirect obligations. Before we shall have finished with financing the war we are sure to have an enormous increase in the amount of Government obligations incident to the war program. The amount of \$5,000,000,000 is insignificant in the present program. So if we limit the Federal Reserve banks to the amount of \$5,000,000,000 that they may purchase directly from the Treasury, we might just about as well leave the law as it is and strike out the provisions of title 4 of the bill. Either amendment would nullify the purpose of the provision of the pending bill. The purpose of the provision is to permit the Federal Reserve banks to purchase sufficient obligations to prevent any embarrassment or difficulty in floating such obligations as may be necessary in the future and, meantime, protect outstanding obligations already in the hands of the public. These obligations must be fully protected to insure successful war operations of the Treasury.

There is no danger of inflation in this provision. This has been explained already.

The same authority for the issuance of currency exists in connection with obligations purchased from the public as would be the case as to obligations purchased directly from the Treasury. Federal Reserve officials are not favorable to inflation. They have used their powers repeatedly by raising reserve requirements to prevent inflation.

Let me say to the House that this amendment is calculated to create great difficulties for the Government in financing this war. It ought not to be adopted. This bill should be passed as it was originally reported and be retained until the task now confronting the country shall have been finished. The hasty vote yesterday should admonish us that this kind of legislation should not be acted upon hastily, or in the absence of a full and complete understanding of what it involves. I hope the Committee will not adopt any amendment to the provisions of title IV of this bill. The thing to do is to defeat the amendment now before us,

and when the bill is considered in the House let the amendment hastily adopted on yesterday be eliminated by a separate vote.

Mr. DEWEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I would like to read into the RECORD at this point the colloquy between the gentleman from Virginia [Mr. SMITH], who proposed the amendment, and myself. The amendment that my most able chairman of the Banking and Currency Committee refers to has already been passed, but it did not quite correctly carry out the meaning and the spirit of the amendment.

I read the following:

Mr. DEWEY. Mr. Chairman, in addressing the House this morning relative to the amendment I offered I stated that the main purpose of the amendment was to take care of the requirements of the Treasury Department during any possible emergency, but at the same time to somewhat limit what they might consider was the emergency requirement. I like the amendment offered by my colleague the gentleman from Virginia [Mr. SMITH], and am prepared to withdraw my own amendment, because his amendment sets a definite limit in dollars as to the amount of securities the Treasury may sell directly to the Federal Reserve System, and, as I understand, have outstanding in an aggregate amount at any one time. I would like to ask the gentleman from Virginia if what I have stated is his understanding?

Mr. SMITH of Virginia. That is my understanding. The only limitation imposed by the amendment is that the Treasury cannot sell directly to the Federal Reserve in excess of \$5,000,000,000.

I would like, if the gentleman will yield further, to make this statement. I have been asked two or three times what limitation this imposes upon a Federal Reserve bank to own bonds. It imposes no limitation. A Federal Reserve bank has the right to buy bonds in the open market, or to own bonds, or to acquire them in any way other than directly from the Treasury, and that right is not affected in any way, shape, or form by either the amendment of the gentleman from Illinois or the amendment which I have offered. The sole limitation this places is that in the aggregate the Federal Reserve cannot buy directly from the Treasury more than \$5,000,000,000 worth of bonds.

It is to make that point clear that the amendment suggested by the gentleman from Michigan will be offered.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The question is on the amendment offered by the gentleman from New York [Mr. KEOGH].

Mr. MARTIN J. KENNEDY. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the Keogh amendment.

There was no objection, and the Clerk again reported the amendment offered by Mr. KEOGH.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

Mr. WOLCOTT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: Page 12, line 11, strike out the period and the quotation marks, add a colon and the following: "Provided, however, That the total of all holdings purchased direct from the Treasury of the United States shall not exceed \$5,000,000,000."

Mr. WOLCOTT. Mr. Chairman, the amendment is in keeping with the remarks that I have previously made, and if it is adopted I expect to ask unanimous consent to strike out the language that was adopted yesterday, in keeping with the amendment offered by the gentleman from Virginia [Mr. SMITH] where it appears after the word "interest" in the bill.

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the Wolcott amendment.

There was no objection, and the Clerk again reported the Wolcott amendment.

Mr. SUMNERS of Texas. Mr. Chairman, if I understand the amendment from its reading, it puts a limit upon the purchases that may be made by the Federal Reserve banks throughout this emergency. Is that correct?

Mr. WOLCOTT. That is correct.

Mr. SUMNERS of Texas. We hope that the amendment will be defeated, because it puts a limitation upon the total purchases that may be made from now on to the end of the war.

Mr. WOLCOTT. Oh, no. I apparently did not understand the gentleman's question. The language as adopted by the House yesterday would put a limitation on the Federal Reserve holdings by limiting the amount of bonds, notes, and other obligations, which the Federal Reserve could buy directly from the Treasury or in the open market. Of course, it is clear that was not the intent of the committee. It was the intent of the committee to limit to \$5,000,000,000 the amount of bonds, obligations, and other holdings which the Federal Reserve might buy directly from the Treasury, and my amendment seeks to clarify that.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield for a specific question?

Mr. WOLCOTT. Certainly.

Mr. SUMNERS of Texas. Is the language of his proposed amendment that the aggregate amount of such obligations purchased direct from the Treasury shall not at any one time exceed \$5,000,000,000?

Mr. WOLCOTT. It provides that the total of all holdings purchased directly from the Treasury of the United States shall not exceed \$5,000,000,000.

Mr. SUMNERS of Texas. But not at any one time.

Mr. WOLCOTT. Not at any one time. I do not want to mislead the gentleman, because I believe that the clause "holdings purchased" would limit the amount which could be purchased in the aggregate to \$5,000,000,000, the same as the amendment adopted yesterday.

Mr. SUMNERS of Texas. Mr. Chairman, the reason that I feel that that amendment should not be adopted is because it puts a limitation upon the total

amount of purchases that may be made during the war. There was some confusion and I was endeavoring to think of something else when this was introduced. I desire to offer an amendment to the amendment, if it has not already been agreed to. There was some confusion as to the parliamentary situation.

The CHAIRMAN. The question before the Committee is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

Mr. SUMNERS of Texas. Is it in order now for me to offer an amendment to that amendment?

The CHAIRMAN. It is.

Mr. SUMNERS of Texas. Then I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS of Texas to the amendment of the gentleman from Michigan:

"Provided, however, That the aggregate amount of such obligations purchased directly from the Treasury which are held at any one time shall not exceed \$5,000,000,000."

The CHAIRMAN. Does the gentleman desire to offer that as an amendment to the pending amendment or as a substitute?

Mr. SUMNERS of Texas. I think it should be offered as a substitute.

The CHAIRMAN. The Clerk will again report the amendment offered by the gentleman from Texas as a substitute for the pending amendment.

The Clerk read as follows:

Mr. SUMNERS of Texas offers a substitute for the pending amendment:

"Provided, however, That the aggregate amount of such obligations purchased directly from the Treasury which are held at any one time shall not exceed \$5,000,000,000."

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes in support of the substitute amendment.

Mr. SUMNERS of Texas. Mr. Chairman, this amendment is offered candidly as a compromise between the Smith amendment and what was urged by the Federal Reserve Banking System, as I understand it.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. GORE. There should be no compromise. The original provision of the bill as brought before the House by the committee was right. We made a mistake yesterday. There should be no limit. Therefore the gentleman's amendment should be defeated. The amendment written into the bill should be taken out when the Committee rises.

Mr. SUMNERS of Texas. It is entirely satisfactory to me if you do that.

Mr. McKEOUGH. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. McKEOUGH. I hope the House will understand that if the amendment adopted yesterday is not removed from the bill when the Committee rises there is no limitation as to what the amount may be that the Treasury Department may borrow wherever it cares, and the Federal Reserve may buy through the Treasury or otherwise. Those that promoted this proposal apparently have forgotten this



serious possibility: In the event a very heavy issue is offered and there is no response and the market breaks wide open, those existing obligations that are now in the portfolios of the banks, insurance companies, and other fiduciary institutions of the country will suffer untold damage. This amendment has no place in this measure. Neither did the amendment offered by the gentleman from Virginia have any place in it, because it destroys the very thing that some people seek to bring about.

Mr. SUMNERS of Texas. Mr. Chairman, in view of what seems to be the attitude of the gentlemen on the floor I will ask unanimous consent to withdraw the amendment just offered.

Mr. STEAGALL. In the gentleman's time, let me say that \$5,000,000,000 would only finance on the present basis of operation 1 month's Government obligations.

Mr. SUMNERS of Texas. I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection?

Mr. WOLCOTT. Mr. Chairman, reserving the right to object, and I shall not object, I want to state to the gentleman from Alabama that is just what we want to avoid. The committee yesterday wanted to avoid the necessity of tying this down, but did so. All I am offering to the committee today is a correction of a very apparent error, and I am offering my amendment to prevent the thing which the gentleman commented upon. So that the financing of the war effort will not be confined to \$5,000,000,000. They will be able to go into the open market and buy as much as they have money to buy.

Mr. STEAGALL. The gentleman fully understands just what was done yesterday, but what the gentleman does now is merely to correct that error insofar as what was intended.

Mr. WOLCOTT. Yes. The House adopted it earlier.

Mr. STEAGALL. I understand the gentleman's position; but let me say this, and I will not say any more, that if this provision is not voted out of this bill the Treasury will not be able to float its obligations through the Federal Reserve System and we will be in great difficulty before the war is over. This should be voted down now, and we should vote out the other one when we get into the House, and this matter will be clear.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS] that he may withdraw the substitute amendment?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the amendment. I hope to disperse some of this cloudy weather. The gentleman from Texas withdrew what he termed a "compromise." It would have been a happy one. The Federal Reserve would have bought the bonds but could not get rid of them. A happy compromise. I congratulate the gentleman for thinking of it. Now we try to take advantage of an error made yesterday in the House. The House expressed

itself in favor. We are now trying to remedy their little mistake made in the language. They over here now seem to want to take advantage of that little error so that it cannot be voted in after the Committee rises. Do not let them do it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. WOLCOTT].

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were ayes 64 and noes 96.

Mr. WOLCOTT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. WOLCOTT and Mr. McLAUGHLIN.

The committee again divided; and the tellers reported that there were—ayes 94, noes 119.

So the amendment was rejected.

The Clerk read as follows:

#### TITLE V—WAIVER OF NAVIGATION AND INSPECTION LAWS

Sec. 501. During the national emergency declared by the President on May 27, 1941, to exist, for the purpose of securing the most expeditious transportation consistent with safety of men and materials that are necessary to national defense and to reduce delays in water-borne transportation; provide quicker turn arounds, expedite deliveries, and help to prevent shortages in defense or critical materials, and, when in the opinion of the Secretary of Commerce there is no other reasonable recourse, the Secretary of Commerce is authorized, upon written recommendation of the Secretary of the Navy, and of the Secretary of War, and of the Secretary of the Treasury and of the Secretary of Labor, and of the Chairman, United States Maritime Commission, or any three of the above-named officials, to waive compliance with the navigation and vessel inspection laws of the United States, except laws requiring the division of crews of vessels of the United States into watches, or limiting the hours of labor of seamen on such vessels, but only to such extent and in such manner and upon such terms as he may find after investigation to be necessary or proper for the national defense: *Provided, however,* That the Secretary of Commerce shall not waive compliance with any of such laws to such an extent as will permit the navigation of any vessel in an unsafe condition, nor with the coastwise laws of the United States where the service desired can be supplied promptly by American ships; *Provided further,* That in the exercise of authority granted by this act, the Secretary of Commerce shall waive compliance with any of such laws only by specific rulings for specific occasions, and shall in each case specifically state the particular laws with which compliance is waived and the reasons therefor: *And provided further,* That during the effective period of this act the Secretary of Commerce shall at the convening of each session of Congress, and monthly while the Congress is in session, report to the Congress every action taken by him under authority of this act.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Strike out the entire section 501 and insert on page 13, line 24, a new section 501, as follows:

"Sec. 501. The Secretary of Commerce is directed to waive compliance with the navigation and vessel inspection laws upon the request of the Secretary of the Navy or the Secretary of War to the extent deemed necessary in the conduct of the war by the officer making the request. The Secretary of Com-

merce is authorized to waive compliance with the navigation and vessel inspection laws to such extent and in such manner and upon such terms as he may prescribe either upon his own initiative or upon the written recommendation of the head of any other Government agency whenever he deems that such action is necessary in the conduct of the war."

The amendment was agreed to.

The Clerk read as follows:

#### TITLE VI—POWER TO REQUISITION

Sec. 601. The last paragraph of section 1 of the act of October 16, 1941 (55 Stat. 742), entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States", is amended by deleting subdivision (3) thereof, so that the paragraph will read as follows: "Nothing contained in this act shall be construed—

"(1) to authorize the requisitioning or require the registration of any firearms possessed by an individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law);

"(2) to impair or infringe in any manner the right of any individual to keep and bear arms."

Mr. HANCOCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 14, after line 25, insert a new paragraph, as follows:

"Whenever any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business is requisitioned pursuant to the act of October 16, 1941 (55 Stat. 742), the owner thereof shall be paid fair and just compensation, which shall not be less than the difference between the fair market value of such factory or business before and after the taking of such equipment or machinery."

Mr. SUMNERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 2208) to further expedite the prosecution of the war, had come to no resolution thereon.

#### HOOR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### SUSPENSION OF CALENDAR BUSINESS ON MONDAY, TUESDAY, AND WEDNESDAY OF NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar on Monday, the call of the Private Calendar on Tuesday, and the call of the Calendar of Committees on Wednesday of next week may be dispensed with.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I shall not, can the majority leader tell us what the program will be for next week?

Mr. McCORMACK. On Monday of next week the war risk property insurance bill will be taken up.

Tuesday, the agricultural appropriation bill. After that the civil functions appropriation bill. I do not know whether that will fill the week, but following that will come the legislative appropriation bill.

Mr. MARTIN of Massachusetts. I believe probably that will be about all that can be accomplished in a week.

Mr. McCORMACK. That is my impression and my own opinion.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

#### EXTENSION OF REMARKS

(Mr. COSTELLO asked and was given permission to revise and extend his own remarks.)

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a letter I received and my answer thereto.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole and include therein a letter written by the chairman of the Committee on the Judiciary.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent to include in the remarks I made in the Committee of the Whole today a statement by Mark Sullivan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a short editorial from the Detroit News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(Mr. GEHRMANN asked and was given permission to extend his own remarks in the RECORD.)

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the San Francisco Chronicle.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ROLPH]?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD. The Public Printer informs me that the printing of this matter will cost \$225 in addition to the usual allowance. I ask unanimous consent that these remarks may be printed notwithstanding the cost.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. TENEROWICZ]?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. TENEROWICZ]?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, it is with reluctance that I rise at this late hour after a strenuous day for all of the Members on the floor of the House. However, I wish to speak of a defense housing project in Detroit, Mich.; a matter which is of vital importance to our city.

I am becoming more convinced daily that the deadliest force threatening America is not the fact that some mad dictators are directing the world conflict that rages across the seas, but rather is it the disintegrating force of "false and assumed leadership" that is deliberately seeking to bore from within the heart of America.

Out of this leadership there often arises situations inimical to the best interests of the people. Such a situation has arisen in Detroit with regard to the proposed defense housing project on Nevada and Fenelon Avenues in a 100-percent white neighborhood.

I know every foot of this neighborhood. As a physician and surgeon, I have operated on over 4,600 people in this area. I have been in hundreds of homes on sick calls. These people are law-abiding home owners who have put their life savings into their homes.

The project was designated for white occupancy by Mr. Charles F. Palmer and Mr. Baird Snyder 3d. Later the decision regarding occupancy was reversed.

My first information regarding the controversy over the proposed defense housing project on Nevada and Fenelon Avenues in the city of Detroit, Mich., was upon the receipt of the following letter, dated June 23, 1941, from a representative of the Conant Garden Community Association, a Negro organization:

On behalf of the resident and property owners of the Conant Garden section of Detroit, I wish to go on record as opposing the building of the proposed defense housing project on the land bounded by Stockton, Fenelon, Nevada, and Justine.

The Conant Garden section is the approximate area bounded by Seven Mile Road, Ryan, Nevada, and Conant Avenues, and for the past few years has been the scene of much home building and home improvement. This section is the only part of Detroit where the Federal Housing Administration will approve home-construction loans for Negroes. People in this area have built and bought homes ranging in price from \$4,000 to \$12,000, and are naturally interested in maintaining an atmosphere and environment commensurate with their investment. We feel that the building of the proposed defense homes project in such close proximity to the Conant Garden section will cause a deterioration in the existing housing values and discourage further building in a section which promises to be a model district and a distinct advantage in a socioeconomic way to the city of Detroit.

We would like to point out another factor which causes us to protest against the proposed location of this project. The project

recreational facilities would of necessity be centered around Pershing High School field and Conant Garden area lying between the high-school grounds and the proposed project would become a thoroughfare, bringing with it attendant problems.

We are in favor of defense homes, but believe that they should be placed where they can help rather than hinder the neighborhood. We hope that you will give this matter your careful consideration and would welcome an opportunity to discuss the matter with you in person.

Awaiting your reply.

CONANT GARDEN COMMUNITY ASSOCIATION.

P. S.—You, as the Congressman of our district, have always exhibited an understanding of our problems. We urge you to do all in your power to see to it that this project is not built on the proposed site.

On June 24, 1941, the following notice was issued by the Conant Garden Community Association:

There will be a meeting of all residents of the Conant area Tuesday, June 24, at 8:45 p. m., Pershing High School.

We are meeting to further the protest on the proposed location of homes for defense workers near Atkinson School.

Time is vital and we must act at once if we are to protect our home investments. Come out Tuesday and be on time.

On June 27, 1941, a committee from Detroit called on me in Washington. The committee was composed of two white members and one Negro member and we met with Colonel Starr and Mr. Von Storch, of the United States Housing Authority. The committee bitterly opposed the site selected by the United States Housing Authority, and as a result it was suggested by Colonel Starr that a search be made for a more suitable site. Accordingly I replied to the letter from the Conant Garden Community Association on June 28, 1941, informing them of this meeting at Colonel Starr's office and suggesting that another site be located and facts regarding the alternative site be submitted to Colonel Starr for further consideration.

On July 3, 1941, the Negro member of the committee wrote the following letter to Colonel Starr:

This is in line with our recent telegram requesting that the 200-family defense project be located at Dequindre and Modern Streets, in the city of Detroit. This matter was presented to the Common Council of the City of Detroit at its regular meeting on Tuesday, July 1, together with a representative from the Detroit Housing Commission and the Detroit City Planning Commission. After considering same, council voted to wire you, recommending that the project be located at the Davison and Modern site.

I am well aware of the conference had with you and Mr. Von Storch when I was in Washington on June 27, but since my return to the city I have had a number of persons to get in touch with me who do not live in the vicinity of Nevada and Fenelon, but who concur that it would certainly be unharmonious to erect a defense housing project on that site and they believe that the Davison-Modern site would be appropriate. There is a spur railroad track which, we believe, could be moved and the project would then not be sitting directly on the belt line. The Nevada property is across the street from manufacturing and industrial concerns and the belt railroad tracks.

I was looking at another site at the intersection of East Davison and Oakland Avenues



which covers a large amount of territory, on the northeast corner, and it may be that some consideration may be given to that site.

Again thanking you for your kind consideration to our committee when in Washington and hoping that you will accept the wishes of the vast majority of the home owners in the Ryan-Fenelon district, and that you will change the location from that district and use the one at Dequindre and Modern.

On July 8, 1941, at my suggestion that he contact Senator PRENTISS BROWN, he wrote the following letter to the Senator:

On behalf of the residents who reside in the district bounded by Nevada on the south, Jos. Campau on the west, Outer Drive on the north, and Mount Elliott on the east, who petitioned the United States Housing Authority not to build a defense housing project in that area, particularly selected as being on Nevada and Fenelon, for the following reasons:

1. That the defense homes would not be in keeping with the homes already built in that neighborhood, which cost from \$4,000 to \$20,000 to build.

2. That the community is 90 percent occupied by home owners and is in the process of further development.

3. It is believed that it will cause a number of owners to become delinquent with Federal Housing Administration mortgages and other contract payments if this project is erected on Nevada Street.

4. That it is further believed that it will cause a depreciation in the market value of our property.

5. That there are other appropriate sites closer to defense plants where there are no present building restrictions and there are no buildings.

6. That the character of the neighborhood is well established as to the type of homes being built and those that have been built.

That on Friday, June 27, 1941, a committee representing the home owners appeared before the United States Housing Authority regional director No. 5, Colonel Starr, and Mr. Von Storch, and presented petitions signed by approximately 1,400 persons who reside in that vicinity, who object to the site selected by the United States Housing Authority.

We have recommended that the project be located at Dequindre and Modern Streets, and on July 1, 1941, the Common Council for the City of Detroit voted to wire the United States Housing Authority urging that they locate the project at Dequindre and Modern. This also is in agreement with the Detroit Housing Commission and the city planning commission.

I also wrote Colonel Starr under date of July 3, suggesting the property located at the intersection of East Davison and Oakland, northeast corner.

At our conference on the 27th Dr. TENEROWICZ was present, and on last Saturday, July 5, he suggested that I write you and request your assistance in this matter. He will contact you when he returns to Washington.

It is suggested that, if possible, you take this matter up with Mr. Carmody's office in an effort to have the project located at a different site.

We urgently request your assistance in having a different location set for the project now being planned for the Nevada-Fenelon district.

Mr. Von Storch, of the U. S. H. A., subsequently met with this man to look over other sites and on July 11, 1941, I received the following telegram from him:

Viewed site at Oakland and Davison with Von Storch last night. Want you to contact Carmody to request him to make complete investigation.

I should also like to quote an excerpt from a letter received from this same man. The letter was dated August 12, 1941:

There is also to be noted that the residents in the Conant Garden district who favor the project being located on the Nevada site consist of about 5 percent and the other 95 percent have signed the petition now in the office of Colonel Starr in opposition to the project being located on Nevada Avenue.

Mr. Speaker, at this point I should like to emphasize two pertinent facts. I ask that excerpts from the minutes of the Detroit Housing Commission be inserted and I wish to show Negro opposition to the Nevada-Fenelon site and to confirm the fact that the site selected by the U. S. H. A. was condemned by the Detroit Housing Commission, including the Negro member of the Detroit Housing Commission:

[Excerpts from minutes of Detroit Housing Commission]

JUNE 4, 1941

In considering sites to be recommended to the United States Housing Authority for the location of the two defense housing projects allocated to Detroit, the commission determined its choice on the basis of the strategic position of the sites in relation to defense industrial areas and their availability to school facilities.

On motion of Commissioner Kelly, supported by Commissioner Sabbe, the commission unanimously voted to approve the site located on the northeast corner of the intersection of Mound Road and Outer Drive, on a piece of land largely unsubdivided, for the 300-55 unit project. The site approved for the project for Negro defense workers is located on the northwest corner of the intersection of Dequindre Road and Modern Avenue, on a piece of unsubdivided land.

JUNE 16, 1941

Commissioner White questioned the selection of the site for the 200 units between Nevada Avenue and Stockton Avenue adjacent to the Atkinson School, but, pending further investigation, did not commit himself definitely.

JUNE 19, 1941

Commissioner Thal commented that if the recommendations as to sites and architects submitted by the housing commission were to be disregarded, and the decisions made by the United States Housing Authority, it seemed to him that the role assigned to the housing commission in the defense-housing picture was a sort of nonexistent agency—one to take the blame if anything went wrong, without having the opportunity to formulate any of the policies or decisions.

JUNE 26, 1941

Commissioner White felt that the commission ought not to capitulate so easily to decisions made by the United States Housing Authority. He felt that the commission ought to go on record and use all the pressure it could to further its recommendations, as he felt the housing commission was much more familiar with housing problems in Detroit.

Commissioner White declared that while he was opposed to the site selected and to the proposed plans he had seen, yet felt that every cooperation should be offered to the United States Housing Authority, and ended by saying, "I want you all to know that I am not mad about this, I am just democratically indignant."

DECEMBER 1, 1941

The director-secretary read letters pro and con the occupancy of the Sojourner Truth project by Negroes. Some discussion followed during which it was developed that the com-

mission was not in favor of the site originally, that it did not make recommendations for approval of this particular site, that the common council did not approve it, but in spite of these facts it was chosen by Washington and designated as a Negro project.

Here I call your attention to the following policy regarding sites for defense housing for Negro occupancy which was adopted by the Division of Defense Housing Coordination on January 28, 1941:

It should be the basic policy of the Federal agency selecting sites for defense housing to secure the opinions, approval, and cooperation of the local housing authorities and/or other responsible public and civic groups, including responsible Negro leadership, before final decision and public announcement is made of a site. This should tend to offset possible local opposition.

I also call your attention to the method of operation, which is set forth on page 10 of Homes for Defense, a Statement of Function, issued by the Division of Defense Housing Coordination:

Before formulating a specific program for a defense area several preliminary steps are necessary, of which the foremost is a thoughtful and thorough examination of the community problem. Such examination aids materially in preventing dislocation of the normal life of the community, which is a vitally necessary consideration.

We are then told that the sources of information to ascertain housing needs and to program projects to satisfy them are derived from field studies made for the Division by the Bureau of Employment Security, the Work Projects Administration, the Bureau of Labor Statistics, and the Federal Housing Administration.

I have no complaint to make against these policies. As a matter of fact, I am confident that if they had been adhered to the present controversy would have been averted. Yet we find the opinions and recommendations of local housing authorities totally ignored, Negro opposition disregarded, and no attempt to consult the local F. H. A. officials whose wealth of knowledge regarding property values and housing needs in the city of Detroit certainly could have been used to great advantage.

Mr. George Edwards, when director-secretary of the Detroit Housing Commission, stated that—

The United States Housing Authority told us they were not asking our approval or disapproval of the site they selected at Fenelon and Nevada and said they would take full responsibility.

Here again we have a flagrant disregard of policy.

Numerous committees came to Washington in the interest of the people in the Fenelon-Nevada vicinity. These committees not only conferred with Colonel Starr and Mr. Von Storch but with Mr. Clark Foreman, then Director of the Division of Defense Housing. They were led to believe that, in view of the fact that construction had already begun on the Fenelon-Nevada site, another housing project was to be constructed for colored occupancy and the Nevada-Fenelon site would be opened for white occupancy. These committees were also asked to locate other sites for Negro occupancy to be submitted to Mr.

Foreman and Colonel Starr for consideration.

I attended all of these meetings and subsequent meetings at which numerous sites were submitted and discussed. The ratio between white and colored populations in the vicinities of the various sites suggested was also discussed.

No further action was taken until suddenly the Fenelon-Nevada project was named Sojourner Truth.

After being led to believe that the sites submitted were under consideration, and because no apparent action was forthcoming, other committees came to Washington. Following their conferences with Colonel Starr on August 18 and 19, letters were written to home owners in this vicinity by Colonel Starr, and I quote one which is typical, and which was dated November 8, 1941:

Permit me to acknowledge your letter of November 3, in which you again raise points of protest against the development of the Lanham defense housing project at Nevada and Fenelon Avenues in Detroit.

I have very little to add to our past correspondence on this subject, but should like to bring to your attention the results of conferences held in Washington on August 18 and 19 last between representatives of the Federal Works Agency and the United States Housing Authority.

At that time it was agreed that the development of the project would proceed as planned, but that the question of racial occupancy would remain open until construction was completed and tenant selection started, at which time the matter would be settled.

No further action has been taken, and the matter rests as it was left then.

A letter dated December 9, 1941, addressed to Mr. Joseph Buffa, president, Seven-Mile Fenelon Improvement Association, 18855 Keystone Avenue, from Clark Foreman, reads as follows:

This will acknowledge your letter of December 1, containing protest against the housing project at Nevada and Fenelon Avenues, Detroit, Mich.

The question of the occupancy of that project is still being studied, and before any final decision is made, your protest will be given every consideration.

The Coordinator of Defense Housing, Mr. C. F. Palmer, told a member of one of the committees that—

It wasn't the usual procedure to pick occupancy or to seek tenant selections for these projects anywhere within 60 days of the occupancy.

In the meantime I was being deluged with letters, telegrams, and petitions of protest from people living in the immediate vicinity of this project, many of which were signed by both white and colored. Oddly enough, a majority of the communications favoring colored occupancy of the project came from outside of the district, and in some instances from cities in other States.

Apparently city officials were receiving similar communications and I would like to insert at this point a telegram to Mr. Charles F. Palmer from Thomas D. Leadbetter, city clerk of Detroit, dated December 10, 1941:

Detroit Common Council feels there is merit in protests presented pertaining to defense housing project at Fenelon and Nevada Avenues and suggests it would be de-

sirable for Federal Works Agency or responsible governmental division to give interested parties a hearing in Detroit.

On November 19, 1941, I contacted Mr. Klutznick, Regional Coordinator, Division of Defense Housing Coordination, suggesting that due to the conflicting statements which were being issued by Federal officials and the ever-increasing bitterness of the controversy, I thought it advisable to hold a hearing in Detroit so that this problem could be properly investigated and the true facts brought to light. Mr. Klutznick agreed with me and suggested that the United States Housing Authority, Federal Works Agency, Office of Emergency Management, the local Federal Housing Administration, and the Detroit Housing Commission meet in Detroit for this purpose. However, this was not done due to the reluctance of some of the agencies based on the fear that the meeting would be picketed. This information was given to me by Mr. Klutznick and accordingly I made an alternative suggestion that representatives of these agencies meet in the office of Senator Brown. The meeting was held in the Senator's office, the matter was discussed, and the agencies decided that they would hold a closed meeting in Detroit. Two men appeared in Detroit, one from the coordinator's office and one from the office of the Division of the Defense Housing. It is my understanding that these gentlemen arrived in Detroit in the morning and were back in Washington the following morning after having completed what they termed an "investigation."

Mr. Speaker, at this point I would like to insert a telegram dated November 19, 1941, which I received from Rev. Horace A. White, the Negro member of the Detroit Housing Commission:

Reurtel. I feel that a public hearing would be very ill advised. I happen to know that one man has been offered a sum if he defeats the project and I do not think that the Federal agencies ought to be pushed around by misrepresentations because one man has as his goal the collection of a fee. I still want to talk to you on Tuesday about it. I am of the opinion that you have been misinformed on the whole affair.

I was amazed to receive such a wire from a member of the Commission. In my opinion, the Commission should have welcomed an investigation in order to straighten out this question of occupancy and to reach an amicable agreement, to say nothing of an investigation of his charge. Accordingly I sent the following wire in reply:

Believe that charge made in your telegram is further justification for airing and hearing on housing matter. Will be glad to see you on Tuesday afternoon.

When the Public Buildings and Grounds Committee of the House of Representatives held its hearing and investigation of this site in Detroit, they went on record for white occupancy. Their recommendation was based on a result of their investigation made in the city of Detroit.

On January 8, 1942, a member of the Detroit Housing Commission unofficially presented the true facts of the Nevada-Fenelon site controversy to Mr. Baird Snyder III, Acting Administrator of the

Federal Works Agency. Mr. Snyder advised that we see Mr. Palmer. Mr. Palmer was not in his office, but his secretary suggested that we see Mr. Jacob Crane, of Mr. Palmer's staff. This we did, and the Detroit Housing Commission member presented the facts to Mr. Crane. He criticized Federal authorities not only for their disregard of the recommendations made by the local Federal Housing Administration, the Detroit Planning Commission, and the Detroit Housing Commission, but said that he felt that the Modern-Dequindre location originally selected was the logical site and that a mistake had been made when the U. S. H. A. insisted upon the site now under controversy.

Tenancy was not as yet decided, and on January 15 of this year a meeting was held in Mr. Palmer's office, and the following persons were present: Charles F. Edgecomb, executive secretary of the Detroit Housing Commission; Rev. Horace A. White, member of the commission; Mr. Palmer; Mr. Snyder; members of the staffs of the two agencies; and I.

Both sides of the question were presented and questions asked by both Mr. Snyder and Mr. Palmer. Mr. Edgecomb produced the original minutes of the Detroit Housing Commission. During the discussion I raised the serious question of violence and I, no doubt the others too, was surprised at Mr. White's comment when he said, "We will meet violence with violence." That afternoon the following statement was issued by the Division of Defense Housing Coordination:

Detroit will get a new defense housing project for Negro occupancy, to be located on a site unanimously recommended by the Detroit Housing Commission last June, according to a joint announcement of Charles F. Palmer, Coordinator of Defense Housing, and Baird Snyder III, Acting Administrator of the Federal Works Agency. At the same time it was announced that the project soon to be opened at Nevada and Fenelon Avenues will be scheduled for white occupancy.

Approval of the project followed a conference in Washington today attended by local and Federal officials, Congressman Rudolph G. Tenerowicz, of Detroit; Charles F. Edgecomb, executive secretary of the Detroit Housing Commission; and Rev. Horace A. White, a member of the commission, presented their views concerning the housing situation to Mr. Palmer, Mr. Snyder, and members of the staffs of both agencies.

Mr. Speaker, I wish to insert here a letter sent out by Mr. Klutznick to Mr. and Mrs. F. Roikes, 18656 Fenelon, on January 28, 1942:

Mr. Palmer has asked me to acknowledge your letter of January 20, 1942. Attached hereto is a copy of the press release which describes at greater length the decision which was made in regard to the project at Nevada and Fenelon Avenues.

The statement referred to by Mr. Klutznick is the statement which I have just quoted which was issued by Mr. Palmer and Mr. Snyder. Many similar letters were sent to home owners in the Fenelon-Nevada vicinity advising of this decision.

Following the decision of January 15 the Negro leaders whose motives are apparently somewhat obscure insofar as the colored people are concerned since they refused 300 defense housing units in



preference to 200 units, thereby losing 100 additional needy families that could otherwise have been provided for, went far and wide seeking sponsors for their cause.

They contacted a number of persons by telephone and by employing the question of racial discrimination with a deliberate intent to misrepresent facts, submitted the following list to housing officials, conveying the impression that the people whose names were listed, had signed the statement. Before submitting this list I would like to say that I have proof that some of those listed did not sign the statement. Two of the alleged signers were here in Washington recently and flatly denied signing the statement. They did say that they had been contacted by telephone and a totally different picture presented to them. On February 26 I received a long-distance telephone call from Detroit advising me that the same was true regarding others on the list. The statement and list is as follows, and is dated January 28, 1942, Detroit, Mich.:

STATEMENT ON SOJOURNER TRUTH HOUSING PROJECT

We strongly protest the barring of Negro defense workers from the Sojourner Truth housing project as an act disruptive of the unity of our people, which jeopardizes the defense of our Nation.

The Sojourner Truth project was expressly planned for and promised to the Negro defense workers of our city, in recognition of the especially critical housing problem faced by this group. A Negro manager has been chosen for the project; not only that, but a substantial number of Negro families had already been selected for occupancy in it.

In his recent message to the Congress and the American people, President Roosevelt warned us that if we are to achieve victory in our war for freedom "We must guard against

divisions among ourselves. . . . We must be particularly vigilant against racial discrimination in any of its ugly forms."

The denial of the Sojourner Truth project to the Negro defense workers for whom it was originally intended is precisely the sort of dangerously divisive action so strongly condemned by the President. We demand that this discriminatory decision be reversed.

Signed: Mrs. G. H. Attarian, Cosmopolitan Women's Club; Rev. Charles P. Bayless, William Ford Memorial Methodist Church; Mrs. Pauline Bass; Walter G. Bergman; Rev. W. F. Bostick, Redford Baptist Church; Fred M. Butzel; Mrs. Harold G. Coyer, League of Women Voters; Mrs. Christine De Weerd, executive secretary, Russian War Relief, Inc.; Tracy M. Doll, president, Greater Detroit and Wayne County Congress of Industrial Organizations Council; Mrs. Ira Field, board of education of Highland Park; Rabbi Leon Fram, Temple Israel; Dr. Leo M. Franklin, rabbi emeritus, Temple Beth El; Philip Gentile, youth director, Metropolitan Methodist Church; Mrs. Philip Gentile; Mrs. Josephine Gomom; Ernest Goodman, attorney; Herman Jacobs, director, Jewish Community Center; Charles Livermore, council of social agencies; Charles C. Lockwood, attorney; Benjamin Marcus, attorney; Prof. Edward W. McFarland, Wayne University; Nathan L. Milstein, attorney; James Montante, attorney; Mrs. C. Rudolph Mueller, Consumers League of Michigan; Hon. Gerald L. Murphy, State representative; Walter M. Nelson, attorney; Rev. P. Ray Norton, Preston Methodist Church; Hon. Stanley Nowak, State senator; Mrs. Fanny S. Pope; John E. Porter, principal, McMichael Intermediate school; Jack Raskin, executive secretary, Civil Rights

Federation; August Scholle, president, Michigan State Congress of Industrial Organizations Council; Dr. Jay J. Sherman, Wayne University; Nedwin L. Smokler, executive secretary, National Lawyer's Guild, Detroit chapter; Rev. Robert C. Stanger, Bethel Evangelical and Reformed Church; Rev. O. G. Starrett, Central Methodist Church; Donald M. D. Thurber, Metropolitan Detroit Youth Council; John E. Zaremba, International Union, United Auto Workers and Congress of Industrial Organizations.

To further substantiate that this was so, I ask permission to have printed the following statement made by Mrs. G. H. Attarian just a few days ago:

Regret to say that I was not fully given the entire facts relative to this project. Now that I know that this is an entirely white neighborhood, I positively forbid the use of my name.

Upon the receipt of this list, I contacted the Committee to Investigate Un-American Activities and submitted the list to the committee. As a result I found that 16 of those listed are conspicuously and frequently mentioned in the records of the committee for their un-American activities.

Another person not mentioned in this list but whose activities nevertheless were solicited by the Negro leaders in this cause is the State secretary of the Michigan Communist Party, Mr. Patrick Toohey. Detroit was circularized and hundreds of Communist organizations throughout the country were ordered to send resolutions of protest. Here I think it appropriate to show the activities of this gentleman by listing the following citations furnished me by the Committee to Investigate Un-American Activities:

PATRICK TOOHEY

Organization	Association of the individual	Authority
Communist Party.....	Pennsylvania State secretary; representative to Virginia State convention of Communist Party. Delegate to Tenth National Convention; speaker, reporting from eastern Pennsylvania.	Daily Worker, May 11, 1938, p. 3.
Do.....	Candidate for Congress, New York County, Seventeenth District, New York, 1940.	Daily Worker, May 31, 1938, p. 4.
Do.....	Candidate for United States Senate from Pennsylvania.	Daily Worker, Aug. 5, 1940, p. 5.
Do.....	Eastern Pennsylvania district secretary; member of presiding committee for the Tenth National Convention.	Daily Worker, Apr. 6, 1938, p. 5.
Do.....	Announces candidacy for United States Senator from Pennsylvania.	Daily Worker, May 28, 1938, p. 5.
Do.....	Candidate for Congress, Seventeenth District, New York County; speaker.	Daily Worker, Mar. 15, 1938.
Do.....	Main speaker.....	Daily Worker, Sept. 26, 1940, p. 4.
Do.....	do.....	Daily Worker, Sept. 24, 1940, p. 5.
Do.....	Barred from speaking in Louisville, Ky.....	Do.
Coal Diggers, official organ of the National Miners Union.....	Contributor.....	Daily Worker, Sept. 19, 1940, p. 5.
The Communist.....	Contributor (reprint).....	Daily Worker, Jan. 28, 1939, p. 4.
Communist Party.....	Chairman at Lenin memorial meeting in Philadelphia.....	The Communist, Mar. 1928, p. 180.
Do.....	District organizer and shock brigadier.....	Daily Worker, Jan. 11, 1938, p. 5.
Do.....	Contributor, The Communist.....	Daily Worker, Jan. 13, 1938, p. 5.
Do.....	Contributor, Party Organizer.....	The Communist, March 1940, p. 278.
Do.....	Secretary of Eastern Pennsylvania Communist Party.....	Party Organizer, June 1936, p. 8.
Do.....	Speaker at Lenin memorial meeting in Boston.....	Daily Worker, Jan. 8.
Communist Party, Lenin memorial meeting.....	Speaker.....	Daily Worker, Jan. 8, 1938, p. 2.
Communist Party.....	Quoted, Party Organizer.....	Daily Worker, Jan. 18, 1939, p. 7.
Do.....	Contributor, Party Organizer.....	Party Organizer, August-September, 1938, p. 8.
Do.....	Candidate for United States Senator, Pennsylvania, 1938.....	Party Organizer, November 1934, p. 6.
Do.....	do.....	Letter from Secretary of State.
Do.....	Candidate for State treasurer, Pennsylvania, 1936.....	Letter from county commissioner, Philadelphia.
Do.....	Barred from speaking in San Antonio.....	Daily Worker, Nov. 3, 1936, p. 2.
Do.....	Candidate for Congress, New York, 1940.....	Daily Worker, Sept. 18, 1940, p. 5.
Do.....	Candidate for State treasurer, Pennsylvania, 1936.....	Daily Worker, May 21, 1940, p. 5.
Do.....	Candidate for State treasurer, Pennsylvania.....	Daily Worker, Sept. 2, 1936, p. 4.
Do.....	Delegate to national convention from eastern Pennsylvania.....	Daily Worker, Nov. 3, 1936, p. 2.
Communist Party National Committee, Communist Party, United States of America.....	Member.....	Daily Worker, May 24, 1938, p. 5.
Communist Party, Philadelphia Workers School.....	Instructor.....	Daily Worker, Apr. 24, 1939, p. 4.
Communist Party.....	Member, central committee.....	Daily Worker, Aug. 20, 1936, p. 5.
Communist Party.....	Member, convention presiding committee.....	Daily Worker, Nov. 28, 1936, p. 5.
Communist Party election rally, Chicago, October 13, 1940.....	Member of national committee; speaker.....	Daily Worker, June 25, 1936, p. 2.
Do.....	do.....	Daily Worker, Oct. 14, 1940, p. 1.

PATRICK TOOHEY—Continued

Organization	Association of the individual	Authority
Communist Party	Member of central committee; speaker at mass meeting in support of striking longshoremen in Puerto Rico.	Daily Worker, Feb. 9, 1938, p. 3
Do	Organizer, Philadelphia district.	Daily Worker, July 1, 1936.
Do	Organizer in eastern Pennsylvania.	Daily Worker, Jan. 22, 1936, p. 3.
Do	Speaker at Lenin memorial meeting.	Do.
Do	Speaker; rally, Houston, Tex.	Daily Worker, Sept. 18, 1940, p. 5.
Communist Party National Committee election rally	Speaker; Milwaukee, Wis.	Daily Worker, Oct. 12, 1940, p. 3.
Communist Party	Speaker; national committee election rally. Milwaukee, Wis.	Daily Worker, Oct. 11, 1940, p. 5.
Do	Speaker; election rally, Chicago.	Daily Worker, Oct. 11, 1940, p. 5.
Communist Party "stop the draft" demonstration.	Member, national committee; speaker.	Sunday Worker, Sept. 1, 1940, p. 5.
Communist Party National Committee.	Member; reports on southern tour.	Daily Worker, Sept. 23, 1940, p. 3.
Do	Spoke on radio from New Orleans.	Daily Worker, Sept. 14, 1940, p. 5.
Communist Party of Pennsylvania.	Candidate for United States Senator.	The Communist, October 1938, p. 935.
Communist International.	Pamphlet advertised.	Communist (October), Sept. 5, 1934, p. 568.
Daily Worker.	Contributor.	Daily Worker, Feb. 7, 1938, p. 2.
Labor Unity.	Editor.	Labor Unity, October 1934, p. 2.
Lenin Memorial Meeting in Philadelphia.	Chairman.	Daily Worker, Feb. 4, 1938, p. 2.
National Miners' Union.	Secretary-treasurer.	Daily Worker, Feb. 18, 1930, p. 3.
Do	Leader.	Daily Worker, Jan. 1, 1930, p. 1.
Do	Secretary-treasurer.	Daily Worker, Jan. 28, 1930, p. 4.
Unemployed demonstration.	Speaker.	Daily Worker Mar. 7, 1930, p. 3.

To prove the above report, I wish to call attention to one of the circulars which was issued under the auspices of Section I, Communist Party, 2419 Grand River, Detroit, Mich., calling a meeting for February 21, 1942, on which Mr. Patrick Toohey and a "prominent member of the Sojourner Truth Housing Committee" were advertised as being the principal speakers.

This same group approached the mayor of the city of Detroit, the Honorable Edward J. Jeffries, Jr., and for reasons known to him alone the following letter, dated January 29, 1942, was sent to Mr. Baird Snyder, Mr. Charles F. Palmer, and Col. F. Charles Starr:

Our Detroit Housing Commission was instructed last week to accept applications for the Sojourner Truth defense housing project from white persons.

To refresh your memory, for months the tenant selection division of the Detroit Housing Commission has been accepting and investigating applications from Negroes. In fact, from the inception of this project the housing commission, together with the informed citizenry of Detroit, was of the opinion that this was to be a Negro defense housing project. Since our instructions to change this to a white project, a cursory but yet a relatively complete survey of the city has been made for the purposes of locating an alternative Negro project. No place apparently is available with anything like the same satisfaction. In fact, it appears that to build a project of any size with the requirements laid down by the Defense Housing Authority as to vacant land, it seems necessary to go beyond the borders of the city.

Therefore I have discussed this matter at length with the members of the Common Council of the City of Detroit, and we feel that the Defense Housing Authority has made a mistake in diverting this to a white project, and that in fairness to the Negro population of the city of Detroit and the Negro defense workers, this project should be maintained as a Negro defense housing program.

We earnestly request you to authorize the housing commission of Detroit to place Negro defense workers in the Sojourner Truth project.

Let me call the attention of the mayor to this portion of the above letter:

In fact, from the inception of this project, the housing commission, together with the informed citizenry of Detroit, was of the opinion that this was to be a Negro defense housing project.

Then let me ask the mayor to reconcile the following statements made by him at the hearing of the Common Council of the city of Detroit and the Seven Mile Fenelon Improvement Association on February 3, 1942:

MAYOR JEFFRIES. I would be very glad to tell you my attitude on it. The project, in the first place, we thought, should be located at Modern and Dequindre. That is the place that was recommended. The Federal Government publicized and advertised to everybody that they were going to build Negro and white houses and that the Negro housing program was to be located not at Modern and Dequindre, as we recommended, but at Nevada and Fenelon, contrary to our recommendation.

When Jeffries was asked the direct question as to whether he favored placing a colored project in a white neighborhood, he replied "No."

The mayor laments the fact that since the commission has been accepting and investigating applications from Negroes, there should be any question of white occupancy. What, then, about the fact that the Detroit Housing Commission approved the Government's decision at a meeting Thursday, January 22, after a discussion with Earl Von Storch, U. S. H. A. project adviser, and the Tenant Selection Division was authorized to accept applications of white defense workers in the Nevada-Fenelon project?

I would like to further quote the mayor in his statement before the common council on February 3:

I knew what our housing commission had recommended to the Government, and I knew that we were not in favor of—that is, we favored another location instead of this one, but I didn't know the neighborhood had protested until in the fall, relatively late in the fall.

Perhaps the mayor can reconcile the following excerpt from a letter written by George Edwards, then director-secretary of the Detroit Housing Commission under date of July 23, 1941, to Messrs. Vincent Siluk et al., St. Louis the King Church Committee, 11805 St. Louis Avenue:

Your petition addressed to Mayor Jeffries has been referred by him to me for reply.

I believe you will be interested to know that the choice of the site at Nevada and Fenelon Avenues for a defense housing unit was made by the United States Housing Authority and

the Federal authorities on their own responsibility. This action was taken after the Detroit Housing Commission, as agents of the United States Housing Authority in the defense work had recommended another site, and it was taken in spite of the fact that the Detroit common council requested that this project be built at the site originally selected by the Housing Commission.

On February 12 the following delegates met with Mr. Baird Snyder, Acting Administrator of the Federal Works Agency:

Joseph A. Craigen, Kappa Alpha Psi Fraternity.

LeBron Simmons, attorney, National Negro Congress.

Harper Poulson, Detroit Youth Assembly.  
Andrew Brown, Council of Social Agencies.  
Clifford Moore, Local 663, Teamsters, American Federation of Labor.

Joseph Stambouly, Ford Local Congress of Industrial Organizations No. 600.

Geraldine Bledsoe, Alpha Kappa Alpha Sorority.

Jack Raskin, Civil Rights Federation.  
Boris Shiskin, American Federation of Labor.

John Davis, national secretary of National Negro Congress.

P. L. Prattis, executive editor of the Pittsburgh Courier.

Three of the persons listed are also closely identified with communistic activities.

On February 13, 1942, I received the following letter from Baird Snyder, III, in which he reversed the decision of January 15:

As the record now stands on Sojourner Truth Homes, the common council represented by the mayor of Detroit, have sent the Administrator an unrescinded advice that in their opinion this project should be occupied by Negroes.

The Detroit Housing Commission has also given the Administrator an unrescinded resolution to the same end. The local representatives of the American Federation of Labor and the Congress for Industrial Organizations, the president of the American Federation of Labor and the president of the United Automobile Workers of America have similarly advised the Administrator. Furthermore, the Civil Rights Federation, representing 300 Michigan organizations with a total membership of more than 500,000, advised the Administrator that in their opinion an injustice will be done if Negro occupancy is not permitted. This latter includes a number of churches, synagogues, clubs, councils



of social agencies, State representatives, schools, and is highly representative of the civic groups in the city of Detroit.

On this record of local opinion and in view of the fact that protestants against colored occupancy are in a minute minority, it is my duty as Acting Administrator to permit the selection of Negro tenants beginning Monday, February 16.

With his letter Mr. Snyder attached Mayor Jeffries' letter of January 29, the list dated January 28, both of which I have heretofore quoted. He also furnished me with a copy of a resolution dated January 30, signed by Charles F. Edgecomb, written on paper bearing no letterhead, stating that the mayor and the common council had officially asked the National Defense Housing Authority to change the status of the Nevada-Fenelon defense housing project from white to Negro. This was not true, as proven by subsequent council hearings. There was also enclosed an opinion from the United States attorney's office concerning deed restrictions on the buying property of the site and a copy of the following wire from R. J. Thomas, president, C. I. O. chairman, C. I. O. Committee on Housing; president, U. A. W. and Aircraft Workers of America, dated February 12, 1942:

Protracted delay in arranging for immediate Negro occupancy of Sojourner Truth housing project in Detroit is resulting in unfortunate confusion detrimental to the unity and welfare of the community and the furtherance of the war effort. The Congress of Industrial Organizations and United Automobile and Aircraft Workers believe it imperative that you stand on your recent decision that this housing development be allotted to Negroes as originally planned. Any new reversal of position on this score by the Federal Government would reflect on Federal agencies and impose unwarranted responsibilities on local authorities who look to Washington for a firm decision along the lines indicated.

Mr. Snyder informed me that he reversed his decision on the basis of Mayor Jeffries' letter, labor recommendations, and the list allegedly signed by citizens in Detroit, nonresidents of this district in which the site is located.

I take issue with Mr. Thomas when he presumed to speak for the rank and file of the C. I. O., and to substantiate this I request that a few of the telegrams and excerpts of letters received from C. I. O. members be included. I have omitted the signatures of these communications, but they are available in my office for public inspection.

#### TELEGRAMS

Urge you to stop colored people from moving into the Fenelon-Nevada housing project. White people only. (Member executive board of Local No. 3, U. A. W., C. I. O.)

Local B 17, I. B. E. W., voted unanimously at their last meeting, February 2, to protest colored occupancy of Sojourner Truth. (Member, Local B 17, I. B. E. W.)

I protest Negro occupancy of Nevada and Fenelon housing project. Ninety percent of rank and file of Local 490 are against Negro occupancy of this project. (Member, Local No. 490, U. A. W., C. I. O.)

I protest Negro occupancy of Nevada and Fenelon housing project. Ninety percent of rank and file of Local 600 are against Negro occupancy of this project. (Member, Local No. 600, U. A. W., C. I. O.)

I am a dues-paying member of the American Federation of Labor and believe that

Thomas, of the C. I. O., has taken a very unintelligent view in asking for Negro occupancy of the Federal housing project at Nevada and Fenelon, which is in a 100-percent white community, thereby setting up a very dangerous race problem. (Member, Local No. 2, A. F. L.)

I am a dues-paying member of the C. I. O. I sincerely believe that Thomas, in making statement he did, is not speaking for the rank and file of the C. I. O. members. I also believe that he is fomenting a crucial race problem when he asks for Negro occupancy in the 100-percent white neighborhood of the Fenelon-Nevada housing project. (Member, Local No. 140, U. A. W., C. I. O.)

We, the undersigned, protest Thomas' unauthorized asking for Negro occupancy of Federal Housing Project at Fenelon and Nevada located in a 100-percent white neighborhood. This sanctioning of Negro occupancy would set up a race problem. (Members of Locals 52 and 140, U. A. W., C. I. O. (six members).)

Am violently opposed to Thomas' unauthorized stand on Sojourner Truth housing project. (Member, Local No. 83, C. I. O.)

I, with every other dues-paying C. I. O. member with whom I have talked, are violently opposed to Thomas' statement favoring Negroes in the Nevada-Fenelon housing project. We believe that his statement is without representation among the members at large. (Member, Local No. 3, U. A. W., C. I. O.)

Demand white occupancy Sojourner housing project. Prevent race riots. (Member, Local No. 742, U. A. W., C. I. O.)

As a dues-paying member of the C. I. O., I protest Thomas' unauthorized sanction of Negro occupancy of the housing project at Fenelon and Nevada. This is a 100-percent white community. (Member, Local No. 236, C. I. O.)

We, members of the C. I. O., who live within a block of this project, all have F. H. A. homes. Protest President R. J. Thomas' actions in backing this project at Fenelon and Nevada for Negroes. (Members of Locals 3, 2, 236, 351, 280, 212, 1229, 157, 51, 742, 817, and 226, U. A. W., C. I. O.)

Being a property owner in the Fenelon-Nevada area, I protest Negro occupancy of the Sojourner Truth housing project. (Member, Local No. 890, C. I. O.)

I don't agree with the stand taken by the C. I. O. on the Sojourner Truth housing project. (Member, Local No. 51, C. I. O.)

As home owner in Fenelon-Nevada project district and member of C. I. O. Packard Local No. 190, we want white people. We demand our rights. (Member, Local No. 190, C. I. O.)

I protest the action of R. J. Thomas in his stand for Negro occupancy of Fenelon-Nevada project. (Member, Local No. 771, C. I. O.)

I protest the action of R. J. Thomas in his stand for Negro occupancy of Fenelon-Nevada project. (Member, Local No. 174, C. I. O.)

I protest colored occupancy of Sojourner Truth housing project in Detroit. (Member, Dodge Local No. 3, C. I. O.)

I protest colored occupancy of Sojourner Truth housing project in Detroit. (Member, Local No. 273, C. I. O.)

I am opposed to the C. I. O. council's stand on housing project at Fenelon and Nevada. (Member, Local No. 51, C. I. O.)

As a resident in Fenelon Nevada district most emphatically object to Negro occupancy of project built here since neighborhood is all white. As a member of the C. I. O. Local 190 feel that unions involvement on this issue is out of order and their stand unfair. (Member, Local No. 190, C. I. O.)

I violently protest Thomas' sanction of Negro occupants at Fenelon and Nevada housing project located in 100 percent white community. (Member, Local No. 51, C. I. O.)

I don't agree with the stand taken by the A. F. L. on the Sojourner Truth housing project. (Member, Local No. 247, A. F. L.)

We protest the action that R. J. Thomas of U. A. W., C. I. O. has taken on the Sojourner Truth housing project against the white people. (Member, Local No. 212, C. I. O.)

I protest stand taken by C. I. O. in regards to Sojourner Truth housing project. (Members of Locals Nos. 306 and 681, C. I. O. (two members).)

Protest against Negroes in Fenelon-Nevada project. (Member of A. F. of L. Municipal Employees Union No. 77.)

Am opposed to stand taken by C. I. O. council showing discrimination against white C. I. O. members in Sojourner Truth housing project. (Member, Local No. 83, C. I. O.)

Protest Negroes at Sojourner housing project. Am member of U. A. W., C. I. O. Local No. 155. (Member, Local No. 155, C. I. O.)

Wish to protest Negro occupancy of Sojourner Truth homes at Nevada and Fenelon and endorsement of Negro project by C. I. O. officials here. (Member, Local No. 297, C. I. O.)

This is a protest to the Negro occupancy of Sojourner Truth project. I advise white people for white neighborhood to protect the children and property. (Member, Local No. 735, C. I. O.)

This is a protest to the Negro occupancy of Sojourner Truth project. I advise white people for white neighborhood to protect the children and property. (Member, Local No. 737, C. I. O.)

Sojourner Truth site white. (Member, Local No. 51, C. I. O.)

I wish to protest against intervention of C. I. O. into Sojourner housing controversy. (Member, Local No. 101, United Rubber Workers, C. I. O.)

As due paying members of the C. I. O. we violently protest Thomas' unauthorized sanction of Negro occupancy of the Federal housing project at Fenelon and Nevada housing project which is located in a hundred percent white community. (Member, Local No. 174, C. I. O.; Member, Local No. 184, C. I. O.)

Sojourner Truth site white. (Member, Local No. 51, C. I. O.)

As a member of Local 157, C. I. O., am protesting against colored occupancy in white neighborhood at Fenelon and Nevada. (Member, Local No. 157, C. I. O.)

As a member of Local 250, U. A. W., am protesting Negro occupancy in Nevada-Fenelon project. (Member, Local No. 250, U. A. W., C. I. O.)

Want white occupancy at Fenelon and Nevada in Detroit. (Member, Local No. 312, S. C. M. W. A., C. I. O.)

I protest Negro occupancy of Nevada-Fenelon housing project. We want a white project for this 100-percent white neighborhood. (Member, Local No. 368, C. I. O.)

I protest the Negro housing occupancy at Nevada and Fenelon. I belong to the Plymouth Local No. 51, C. I. O. (Member, Local No. 51, C. I. O.)

Strongly oppose Negro occupancy Fenelon-Nevada defense project. Also protest U. A. W.-C. I. O. part in this matter. (Member, Local No. 212, C. I. O.)

We protest the Negro housing occupancy at Nevada and Fenelon. We belong to the Dodge Local No. 3. (Member, Local No. 3, C. I. O.)

I protest the action of C. I. O. against housing project. (Member, Local 174, C. I. O.)

C. I. O. member. I protest actions of Thomas in Nevada housing project. (Member, Lodge Local No. 3, C. I. O.)

Member C. I. O., Local 212, protest against the Negro project. (Member, Local 212, C. I. O.)

As member C. I. O., Local 212, protest against Negro project. (Member, Local 212, C. I. O.)

I protest Negro occupancy of Sojourner Truth project. (Member, Local No. 190, C. I. O.)

I don't agree with the stand taken by the C. I. O. on the Sojourner Truth housing project. (Member, Local No. 205, C. I. O.)

I don't agree with the stand taken by the C. I. O. on the Sojourner Truth housing project. (Member, Local No. 205, C. I. O.)

I protest the action of R. J. Thomas in his stand for Negro occupancy of Fenelon-Nevada project. (Member, Local No. 190, C. I. O.)

I protest the action of R. J. Thomas in his stand of Negro occupancy of Fenelon-Nevada project. (Member, Local No. 3, C. I. O.)

We protest against R. J. Thomas of having Negroes moved into Sojourner Truth project. We are members of U. A. W.-C. I. O. Locals 212 and 351. (Member, Local No. 212, C. I. O.; Member, Local No. 351, C. I. O.)

Oppose Negro occupancy in Sojourner Truth housing project. Thomas mistaken on C. I. O. backing Negro occupancy. (Member, Local No. 3, C. I. O.)

I am a citizen and home owner and a member of Local No. 183, C. I. O. Tank Arsenal. I protest against Negro occupancy Sojourner Truth housing project. Give the Negro a break but don't break us. (Member, Local No. 183, C. I. O.)

I violently oppose promises sanction of Negro occupancy of the housing project at Fenelon and Nevada, which is located in a hundred percent white neighborhood. This unauthorized sanction has no backing from the rank and file of the C. I. O. membership. (Member, Local No. 51, C. I. O.)

#### EXCERPTS FROM LETTERS

We protest the action of the C. I. O. against our housing project at Nevada and Fenelon. I have been a member of Local 174 since 1937, but if that is their attitude, I intend to drop out completely. If they can't say a good word for us, why not keep quiet? (Member, Local No. 174, C. I. O.; Member, Local No. 51, C. I. O.)

Please give Negroes a break but by doing so do not break us. (Member, Local No. 3, C. I. O.)

As a member of the U. A. W. Dodge Local, No. 3, I wish to state that Mr. R. J. Thomas does not represent my views and, to the best of my knowledge, has not the authority of the rank and file to bring the power of our union behind the move to place Negroes in the Fenelon-Nevada defense housing project. (Member, Local, No. 3, C. I. O.)

I being a member of Packard Local No. 190 on defense work combined with members in vast community representing practically every union in the city of Detroit, wish to state there was absolutely no "open hearing" in any local in regards to rank and file concerning this problem or giving Mr. Thomas authority in speaking in our behalf. According to my knowledge the C. I. O. unions were never intended to give a few radical minded leaders the power to say with whom we shall live or how we shall live. In contacting other union members, 8 out of 10 have no knowledge of the problem whatsoever. The other two in any way acquainted with the matter are absolutely not in favor of Mr. Thomas' policy. (Member, Local No. 190, C. I. O.)

I am a property owner and I belong to Dodge Local C. I. O. but I am not interested in the Reds in the C. I. O. like Thomas who haven't got anything to do with the taxpayers of Detroit. We prefer to fight this project ourselves without the Reds of the C. I. O. We didn't ask Mr. Thomas to go to the councilmen of Detroit to fight our battle. (Member, Local No. 3, C. I. O.)

In regards to the Sojourner Truth housing project to be for Negroes, I have lived in this neighborhood for 18 years and I have put all of my life earnings into a home like all of my neighbors. (Member, A. F. L. Gas Co. Union.)

It is not the rank and file of the union that want the Negroes in the Fenelon-Nevada project. It is Mr. Thomas, president of the

U. A. W.-C. I. O., who demands it himself. (Member, Local No. 140, C. I. O.)

I am not in support of the stand the C. I. O. and their communistic spokesman has taken in the controversy of the occupancy of the Sojourner Truth housing project. Stop this. (Member, Local No. 212, C. I. O.)

This district has been exclusively occupied and developed by the white race. There also has been a clause in all land contracts that the Negroes at no time would be allowed to move east of Ryan Road. If it will not be possible for you to aid us as you did in the past, and this plea will go unanswered, the residents of this district shall have to take other drastic steps in their protest. (Member, Local No. 409, C. I. O.)

The subdivisions surrounding this project are all restricted against colored occupancy, and we, the owners of most new and recently built homes, are certainly opposed to this project being occupied by the colored race. This, in our opinion, would depreciate the valuation of all properties in that vicinity 50 percent. (Members, Locals Nos. 600, 235, 58, C. I. O.)

In regard to the site selected for the Negro housing project, called the Sojourner housing, we, as the taxpayers and voters of the United States and owners of property in Seven Mile and Fenelon subdivision, are not in favor of Negro occupancy in this project but suggest that another project be built in their own race district to prevent race riots and lots of trouble. (Member, Local No. 203, C. I. O.)

Mr. Speaker, at this point, I ask permission to insert an additional report dated February 24, 1942, received from a responsible source which covers the unscrupulous, biased, subversive actions employed by Negro and radical elements to deliberately incite both Negroes and whites. This report substantiates what I have just said. This false leadership may as well be brought out into the open and exposed for what it really is—rabble-rousing, publicity seeking, ambitious radicals bent on the destruction of human values and property values alike:

Starting in December 1941, and building up to a roaring crescendo by the middle of February 1942, the Communist Party and its hundreds of affiliates and affiliated organizations began passing resolutions issuing their directives to call the necessary mobilization measures in anticipation of the possibility that the Negroes of the city of Detroit will be denied the occupancy of the Sojourner Truth housing project.

Shortly after the decision was made to permit whites to be the sole occupants of the Sojourner Truth housing project, the district committee of the Communist Party immediately issued a call for the organization of mass meetings, mobilized all the Communist units, sections, and factions and simultaneously issued orders to form protest committees to petition the proper authorities in Washington; similar committees were dispatched to call upon the mayor of the city of Detroit, and orders were issued through the factions and trade-union locals to get those locals on record in favor of Negro occupancy. The entire membership of the Communist Party as a matter of fact was ordered to constitute themselves into a committee of one, if necessary, and each member was instructed to take the floor of his respective local union and engineer a protest movement within his respective labor organization.

A closed and diligent investigation revealed that similar tactics and the same machinery was employed by the Communist Party to bombard the members of the United States Congress with petitions to defeat the reso-

lution now pending before that House to extend the activities of the Congressional Committee on un-American Activities, commonly known as the Dies committee. The same tactics and the same machinery were also employed to obtain freedom for a notorious Communist, Earl Browder, now incarcerated in a Federal penitentiary. The entire campaign as promoted by the Communist Party in regard to the Sojourner Truth housing project was with the avowed purpose to create and promote a condition of anarchy and disunity. The same people were involved in each phase of the above enumerated subversive operation. Most of the individuals involved are of the white race and are known to be Communists. Their methods as applied to the Sojourner Truth housing project are not new. This is simply a continuation of the Communist program of using the Negro race as a spearhead of a false conception of race equality. Those Communists who have been stirring up the Negroes with a fabricated claim of a right to move into a neighborhood where they are not wanted and have no geographical legal claim to such rights are not really the friends of the Negro people. Most of the self-styled and self-appointed Communist agitators who have taken a conspicuous part on the side of the Negroes are whites who live many miles from the locality of the housing project and have no intentions or desires to move into the immediate vicinity of that project.

Anticipating a successful termination of the Sojourner Truth fight, it is the intention of the Communist Party to be able to go into the Negro neighborhoods to point out the great victory won by the Communists for the Negroes. They expect that the Negroes will recognize the contribution made in their behalf by the Communist Party, and that the membership of that party will thereby be strengthened by an influx of Negroes. They do not expect to lose membership from among their white following, as the members to the white race are of a fanatical type, believers of a totalitarian-minded political ideology and are trained to obey any orders emanating from the party with a blind devotion. Some of the other people who are involved in this fight demanding the occupancy of the Sojourner Truth project by Negroes are the type of unscrupulous politicians who expect to materially benefit themselves from the mass misery which is bound to be created by this unhealthy and unjust situation. Out of this ensuing political confusion a condition of racial hatred is bound to follow with equal unpleasant moral and physical consequences.

An inquiry conducted by competent investigators uncovered a most astonishing state of affairs. This inquiry disclosed that the district bureau of the Communist Party of the city of Detroit held secret meetings in which a strategic plan was worked out to defeat the rightful claims of white occupants of homes located in the immediate vicinity of this housing project. At those secret meetings the Communist Party resolved to use their front organizations, which have been built up over a period of many years for just such purpose. Those front organizations have been thoroughly exposed as Communist Party organizations directly or indirectly affiliated with it by legitimate and competent Government agencies, and expert testimony was produced by the congressional Committee on un-American Activities to substantiate this allegation. Pat Toohey, the State secretary of the Michigan Communist Party, was the one who issued orders to all those front organizations for immediate mobilization for the purpose of confusing the housing authorities that all Detroit would be up in arms if the Negroes were not given this project. Hundreds of Communist organizations throughout the country were ordered to send resolutions of protest. The overwhelming



majority of these organizations were fictitious paper bodies with big sounding names, and fictitious claims of large memberships.

The organizations who responded to the call of the Communist Party to engineer a flood of protests have fantastic claims of a following reaching into hundreds of thousands, when actually not over 25 people attend their meetings regularly. The organizations who were conspicuously active in behalf of the Communist Party, involving the Sojourner Truth housing project, are as follows:

Communist Party of America (proper).  
Detroit Civil Rights Federation (Communist).

National Association for the Advancement of Colored People (strong Communist influence).

National Negro Congress (absolutely Communist controlled).

Detroit Youth Assembly (Communist Party and Youth Communist League controlled).

Young Communist League (the name speaks for itself).

Stanley Nowak New Deal Federation (Communist controlled).

The investigators involved in this inquiry further disclosed that on January 18, 1942, the Communist Party of Michigan held its annual Lenin memorial meeting at the Mirror Ballroom, 2940 Woodward Avenue. About 1,000 Communist members attended. Patrick Toohey, their State secretary, was chairman. The meeting was opened with the singing of the Internationale, with words as follows:

" 'Tis the final conflict,  
Let each stand in his place,  
The Internationale Soviet  
Shall be the human race."

At this meeting Coleman Young, a Negro Communist, who is the executive secretary of the National Negro Congress, Detroit chapter, was one of the speakers. His talk was devoted to the Sojourner Truth housing project, in which he bitterly attacked Congressman TENEROWICZ, branding him as a fifth columnist, emphasizing that the Sojourner Truth housing project has been stolen from the Negro people. Young further stated that at the same moment a protest meeting was being held at the Calvary Baptist Church, and that letters of protest were being drawn up to be sent to the mayor, Governor, and the common council; that a picket line was being organized to picket the offices of the housing commission, and that this entire program would be in full swing on the following day. At the same meeting Pat Toohey, who was the chairman of this gathering, and who is the State secretary of the Communist Party in Detroit, announced that his organization has taken the initiative in this fight and that they are behind the Negroes 100 percent and will give this matter all the necessary moral and financial assistance.

During January and February 1942 the Detroit Civil Rights Federation held their regular conferences, with some additional meetings of the steering committee. (Dates, minutes of procedure of all those meetings are available.) At all of those meetings the subject under consideration was the Sojourner Truth project. The members were instructed to go back to their respective organizations and to engineer a wide distribution of literature and a general educational campaign in favor of handing this project over to the Negroes. Jack Raskin, executive secretary of the Civil Rights Federation, was dispatched to Washington, where he was to mobilize all the pinks, radicals, and crackpots in favor of the Communist Party's position in this housing-project fight. Mimeographed lists of the names of the Congressmen to be contacted were passed out at all of those meetings. Maps of the immediate neighborhood in the vicinity and around the project were

prepared for general distribution. Those maps purporting to show that the territory in which this project is located is a Negro neighborhood and that Negroes moving in would not depress property values. A picket line was organized to picket the city hall to impress the professional politicians, who usually have the tendency in the face of any kind of a demonstration to wilt like the proverbial last rose of summer. Threats of race riots were impressed upon those politicians in the event the project was certified for white occupancy.

Among other literature prepared and circulated out of the offices of the Civil Rights Federation at 530 Insurance Exchange Building and passed out to numerous affiliates of the Communist Party was (1) a leaflet entitled "It Isn't a White Neighborhood"—this was a mimeographed piece of literature—(2) a map purporting to prove that the area is largely Negro.

Active leaders of the Communist Party identified a. taking a very active part in this fight are:

Patrick Toohey, State secretary, Michigan Communist Party.

Jack Raskin, executive secretary, Detroit Civil Rights Federation.

George Krisalsky, Communist Party candidate for councilman of Hamtramck.

Jordan Zier, Communist chairman of the steering committee Detroit Civil Rights Federation.

William Allan, section organizer of section 3 of the Communist Party; also Detroit reporter for the Daily Worker.

Eleanor Laffrey, active member of the Detroit Civil Rights Federation; school teacher by profession.

At a meeting organized and sponsored by the Communists at the McColester Hall, held on February 1, 1942, Jordan Zier, of the Detroit Civil Rights Federation, was inside and outside passing out leaflets on the Sojourner Truth housing question.

Communist meeting places in which the question of the Sojourner Truth housing project was discussed and agitated were:

Petofi Hall, 835 West End Avenue.  
Schiller Hall, Gratiot and St. Aubin.  
Magnolia Hall, 4519 Magnolia.  
The Yemans Hall, 3040 Yemans.

In the Hamtramck section the Communist leaders took a large share in the agitation and are linking this up with the candidacy of George Krisalsky for a public office in the forthcoming Hamtramck city election.

Mr. Speaker, this report clearly shows to what lengths certain Negro leaders and the communistic element will go in their attempts to achieve local and national disunity. They have seized upon a Federal project, and through their deliberate misrepresentations and subversive activities have succeeded in creating a dangerous racial issue.

The city hall and the defense project have been picketed for days and weeks. These pickets are home owners, citizens, and taxpayers residing in this neighborhood alone.

Anticipating colored occupancy, the Federal Housing Administration has discontinued commitments and real-estate agents have been seeking to obtain property far below cost—property purchased with the life savings of these home owners—those who have been picketing.

Following Federal action resulting from the mayor's letter, I again made my persistent rounds of the Federal agencies in a final attempt to untangle a situation which had by this time developed into an issue, not a project. It is a dangerous question which will inevitably react ad-

versely to the welfare of the Negroes as well as the white people. Following the mayor's letter, I even made a trip to Detroit and appeared before the mayor and the common council.

I contacted the heads of all agencies handling housing, but none were willing to assume any responsibility when the mayor had so kindly relieved them. These officials admitted that a colossal blunder had been made, but aside from hasty assurances that mistakes of this kind would not be repeated elsewhere, no satisfaction was to be derived from them. They voiced a sympathetic understanding of the matter, but stated emphatically that the mistake was now in the mayor's lap, and there it would remain insofar as the Federal agencies were concerned. When I again brought up the question of violence and race riots they reiterated that the responsibility was Mr. Jeffries'. I have attempted here to set forth the actual history of the defense housing project on Nevada and Fenelon Avenues in the city of Detroit, citing each development as it occurred, step by step. I have confined myself exclusively to fact.

When a false and subversive leadership can become such a disintegrating factor it is time that it be exposed, and I have asked the Dies committee to investigate this affair in its entirety. Mr. Dies has assured me that this will be done.

[Here the gavel fell.]

#### EXTENSION OF REMARKS

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Washington Daily News.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. CASEY]?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a letter from General Flemming, Federal Works Administrator.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

#### LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. VAN ZANDT (at the request of Mr. WOLFENDEN of Pennsylvania for 1 day on account of official business.

#### WITHDRAWAL OF PAPERS FROM THE FILES

Mr. D'ALESSANDRO asked leave to withdraw from the files of the House, without leaving copies, the papers in the case of Christopher C. Cole, H. R. 4268, Seventy-seventh Congress, no adverse report having been made thereon.

There was no objection.

#### SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1766. An act for the relief of John Snure, Jr.; to the Committee on Claims.

S. 1776. An act for the relief of Mrs. Agnes S. Hathaway; to the Committee on Claims.

S. 1971. An act to legalize a bridge across Bayou Lafourche at Valentine, La.; to the Committee on Interstate and Foreign Commerce.

S. 2122. An act to amend the District of Columbia Traffic Act of 1925; to the Committee on the District of Columbia.

S. 2133. An act to revive and reenact the act entitled "An act granting the consent of Congress to the State of Michigan to construct, maintain, and operate a toll bridge or a series of bridges, causeways, and approaches thereto, across the Straits of Mackinac at or near a point between St. Ignace, Mich., and the Lower Peninsula of Michigan," approved September 25, 1940; to the Committee on Interstate and Foreign Commerce.

S. 2134. An act to revive and reenact the act entitled "An act authorizing the State of Michigan, acting through the International Bridge Authority of Michigan, to construct, maintain, and operate a toll bridge or series of bridges, causeways, and approaches thereto, across the St. Marys River, from a point in or near the city of Sault Sainte Marie, Mich., to a point in the Province of Ontario, Canada," approved December 16, 1940; to the Committee on Interstate and Foreign Commerce.

S. 2154. An act to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929; to the Committee on the District of Columbia.

S. 2175. An act for the relief of Bibiano L. Meer; to the Committee on Claims.

S. 2187. An act for the relief of Tom G. Irving, Thomas G. Irving, Sr., J. E. Irving, Mata D. Irving, L. T. Dale, and Amelia Dale; to the Committee on Claims.

S. 2229. An act to provide for the retirement, rank, and pay of heads of staff departments of the Marine Corps; to the Committee on Naval Affairs.

S. 2268. An act to further amend section 126 of the act of June 3, 1916, as amended, to authorize travel pay for certain military and naval personnel on discharge or release or relief from active duty; to the Committee on Military Affairs.

S. J. Res. 130. Joint resolution to extend and amend certain emergency laws relating to the merchant marine, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

#### ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House, under the order heretofore adopted, adjourned until tomorrow, Saturday, February 28, 1942, at 11 o'clock a. m.

#### COMMITTEE HEARINGS

##### COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

##### POSTPONEMENT OF HEARING ON H. R. 6503

This will advise you that the hearings previously scheduled for Tuesday, February 17, 1942, at 10 a. m., have been postponed until Thursday, March 5, 1942, at 10 a. m., on the following bill, H. R. 6503, to extend and amend certain emergency laws relating to the merchant marine, and for other purposes.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1444. A letter from the Archivist of the United States, transmitting a report on lists

of papers recommended to him for disposal by certain agencies of the Federal Government; to the Committee on the Disposition of Executive Papers.

1445. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated November 5, 1941, submitting a report, together with accompanying papers, on a review of the reports on flood-control works in the alluvial valley of the Mississippi River, with a view to levee protection in the vicinity of Greenville, Miss., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted on February 10, 1938; to the Committee on Flood Control.

1446. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated September 30, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Cadron Creek, Ark., authorized by the Flood Control Act approved on June 28, 1938; to the Committee on Flood Control.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 448. Resolution authorizing the printing of the proceedings in the House of Representatives on December 19, 1941, commemorating the service of William Tyler Page; without amendment (Rept. No. 1833). Referred to the House Calendar.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 6682. A bill to suspend in part the processing tax on coconut oil; without amendment (Rept. No. 1834). Referred to the Committee of the Whole House on the state of the Union.

Mr. FOGARTY: Committee on the Territories. H. R. 6166. A bill to approve Act No. 70 of the Special Session Laws of Hawaii, 1941, reducing the rate of interest on loans and providing for the reamortization of indebtedness to the Farm Loan Board; without amendment (Rept. No. 1835). Referred to the Committee of the Whole House on the state of the Union.

Mr. PLOESER: Committee on the Territories. H. R. 5962. A bill to ratify and confirm Act 20 of the Special Session Laws of Hawaii, 1941, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935; without amendment (Rept. No. 1836). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 1762. An act to authorize the Secretary of Agriculture to release the claim of the United States to certain land within Cocino County, Ariz.; without amendment (Rept. No. 1837). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 2089. An act to authorize the transfer of the custody of a portion of the Croatan National Forest, N. C., from the Department of Agriculture to the Department of the Navy; without amendment (Rept. No. 1838). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. S. 2282. An act to provide for the planting of guayule and other rubber-bearing plants and to make available a source of crude rubber for emergency and defense uses; without amendment (Rept. No. 1839). Referred to the Committee of the Whole House on the state of the Union.

Mr. FULMER: Committee on Agriculture. H. R. 6360. A bill to amend the act known

as the Perishable Agricultural Commodities Act, 1930 (46 Stat. 531), approved June 10, 1930, as amended; without amendment (Rept. No. 1840). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MACIEJEWSKI: Committee on Immigration and Naturalization. S. 1161. An act for the relief of Cecelia Pitt; without amendment (Rept. No. 1841). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CHAPMAN:

H. R. 6687. A bill to authorize the coinage of 50-cent pieces in commemoration of the Sesquicentennial of Kentucky Statehood; to the Committee on Coinage, Weights, and Measures.

By Mr. ANDERSON of California:

H. R. 6688. A bill to establish as a part of the Reserve component of the Regular Army a Home Defense Organized Reserve for local home defense; to the Committee on Military Affairs.

By Mr. LAMBERTSON:

H. R. 6689. A bill to provide that the work-week established by the Fair Labor Standards Act of 1938 shall temporarily be extended from 40 hours to 48 hours; to the Committee on Labor.

By Mr. SMITH of Ohio:

H. R. 6690. A bill relating to eligibility for the benefits of the Civil Service Retirement Act; to the Committee on the Civil Service.

By Mr. DOUGHTON:

H. R. 6691. A bill to increase the debt limit of the United States, to further amend the Second Liberty Bond Act, and for other purposes; to the Committee on Ways and Means.

By Mr. HOLMES:

H. R. 6692. A bill to provide assistance to certain industrial and business enterprises which, due to priority orders or other action by the Government in connection with the prosecution of the war effort, are insolvent or threatened with insolvency; to the Committee on Banking and Currency.

By Mr. McKEOUGH:

H. R. 6693. A bill making it unlawful for any person engaged in the performance of a defense contract to discriminate against or in favor of any employee because of his race, color, or creed; to the Committee on the Judiciary.

By Mr. O'BRIEN of Michigan:

H. R. 6694. A bill to amend the National Housing Act; to the Committee on Banking and Currency.

By Mrs. NORTON:

H. R. 6698. A bill providing for the option to repurchase by the seller of any lands or buildings, or both, or any right or interest therein sold to the United States of America, together with any improvements made thereon, when not needed for public use; to the Committee on Public Buildings and Grounds.

By Mr. COFFEE of Washington:

H. Res. 450. Resolution to create a special committee to investigate the extent, character, and object of organized propaganda, foreign or domestic, which attacks constitutional government or serves the interests of any country with which the United States is at war, and for other purposes; to the Committee on Rules.



## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States to consider their resolution relative to the proposed St. Lawrence seaway; to the Committee on Rivers and Harbors.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HOLMES:

H. R. 6695. A bill for the relief of Mrs. Esther Mann; to the Committee on Claims.

By Mr. KILBURN:

H. R. 6696. A bill for the relief of the estate of Mary Fortune, deceased; to the Committee on Claims.

By Mr. WENE:

H. R. 6697. A bill for the relief of Jean Boehm; to the Committee on Claims.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2496. By Mr. ANGELL: Petition of certain citizens of Multnomah County, Oreg., asking the enactment of House bill 1410; to the Committee on Ways and Means.

2497. By Mr. CULLEN: Petition of Local No. 10, New York Federation of Post Office Clerks, urging that before the 40-hour week is extended for regular employees of the Post Office Department, all existing substitutes be made regulars; to the Committee on the Post Office and Post Roads.

2498. By Mr. GRAHAM: Resolution passed unanimously by the Pennsylvania State Senate on Wednesday, February 25, 1942, memorializing the Congress of the United States not to approve or authorize the construction of the proposed St. Lawrence seaway; to the Committee on Rivers and Harbors.

2499. Also, petition of 77 citizens of Lawrence County, in the State of Pennsylvania, urging that immediate action be taken to prohibit the sale of alcoholic liquors in or near any military or naval station, and to suppress vice in the vicinity of such stations; to the Committee on Military Affairs.

2500. By Mr. CARTER: Petition of the Contra Costa County Central Labor Council, opposing any legislation to set up additional organizations for the construction and management of defense-housing projects, and recommending that all such projects be placed in the hands of local housing authorities wherever such authorities are established and operating; to the Committee on Public Buildings and Grounds.

2501. By Mr. HAINES: Resolution passed unanimously by the Senate of Pennsylvania on February 25, 1942, opposing the St. Lawrence seaway; to the Committee on Rivers and Harbors.

2502. By Mr. MOTT: Petition signed by Howard Gault and 70 other officials and employees of Jackson County, Oreg., urging early enactment of the Vinson bill (H. R. 6444); to the Committee on the Judiciary.

2503. Also, petition signed by James B. Hannah, president, Local No. 128, N. F. O. P. O. C., and 48 other citizens of Oregon, urging enactment of House bill 6486, to reclassify the salaries of postmasters and employees of the Postal Service; to the Committee on the Post Office and Post Roads.

2504. By Mr. ROLPH: Resolution of the Retail Furniture Association of California, Inc., in unalterable opposition to the plan advanced by the Social Security Board for the taking over of the California unemployment insurance program; to the Committee on Ways and Means.

## HOUSE OF REPRESENTATIVES

SATURDAY, FEBRUARY 28, 1942

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Love divine that stoops to human need and stays the bitterest tear, on Thee we call. To Thee we come with our cares, our problems, and our limitations. We ask for wisdom and we pray for grace that this day may be fruitful with good works and a great inspiration to our country. In the enrichment and enlargement of our deepest life may we be sincere, true, and our best hopes realized. Deliver us, blessed Lord, from all narrowness, all bias, and under all circumstances may our Republic be first in thought, word, and deed. Grant that the divine Teacher may be our model, His love our impulse, and His favor our aspiration. Give us to understand that the measure of our diligence is the measure of our success, every step being sown with the memories of service well done for God and our native land. Through Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

## EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from Mr. W. H. Callan, industrialist of my community.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I further ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Times-Herald of today on the subject of national prohibition.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Vermont [Mr. PLUMLEY] may extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very short letter and a short appeal for the purchase of Defense bonds.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

## PERMISSION TO ADDRESS THE HOUSE

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent that at the conclusion of the regular legislative calendar and following any previous special orders on next Monday, March 2, 1942, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent that I may be allowed to proceed now for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I have asked for a special order for next Monday for the purpose of trying to clear up some of the amazing misconceptions that have gotten abroad in the land and throughout the Congress with regard to the remarks I made on Thursday of this week concerning Lt. Franklin D. Roosevelt, Jr. This will require 5 minutes, or at the most 10 minutes. I have asked for 30 minutes because I note from the press this morning that some of the leaders on the Democratic side may want to raise some points or ask me some questions. I here and now cordially invite any Member of the House and the public to submit me a bill of particulars in any case wherein the son or a relative of any prominent Republican whatever, either in or out of the Congress, has received a commission without working for it and thereafter has received favored treatment from either the Army or the Navy. Sauce for the goose is sauce for the gander.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. Gladly. Mr. MAY. Does the gentleman think it is a crime to send a man to a hospital for 30 days' leave after he has had an operation for appendicitis?

Mr. WILLIAM T. PHEIFFER. I will say to the gentleman from Kentucky that I will take that question up fully in my remarks Monday afternoon.

[Here the gavel fell.]

## PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to revise and extend my remarks and to include a joint letter I have written to the chairman of the Naval Affairs Committee and the chairman of the Military Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks will appear in the Appendix.]

## SAM HARDY

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOUGHTON. Mr. Speaker, on February 11, several of my colleagues from the Committee on Ways and Means paid tribute to Sam Hardy, our extremely efficient, capable, and courteous messenger. The occasion of this particular tribute and recognition was the completion, on February 9, of Sam's 34 years of service to our committee. I regret very much that I was not present on the